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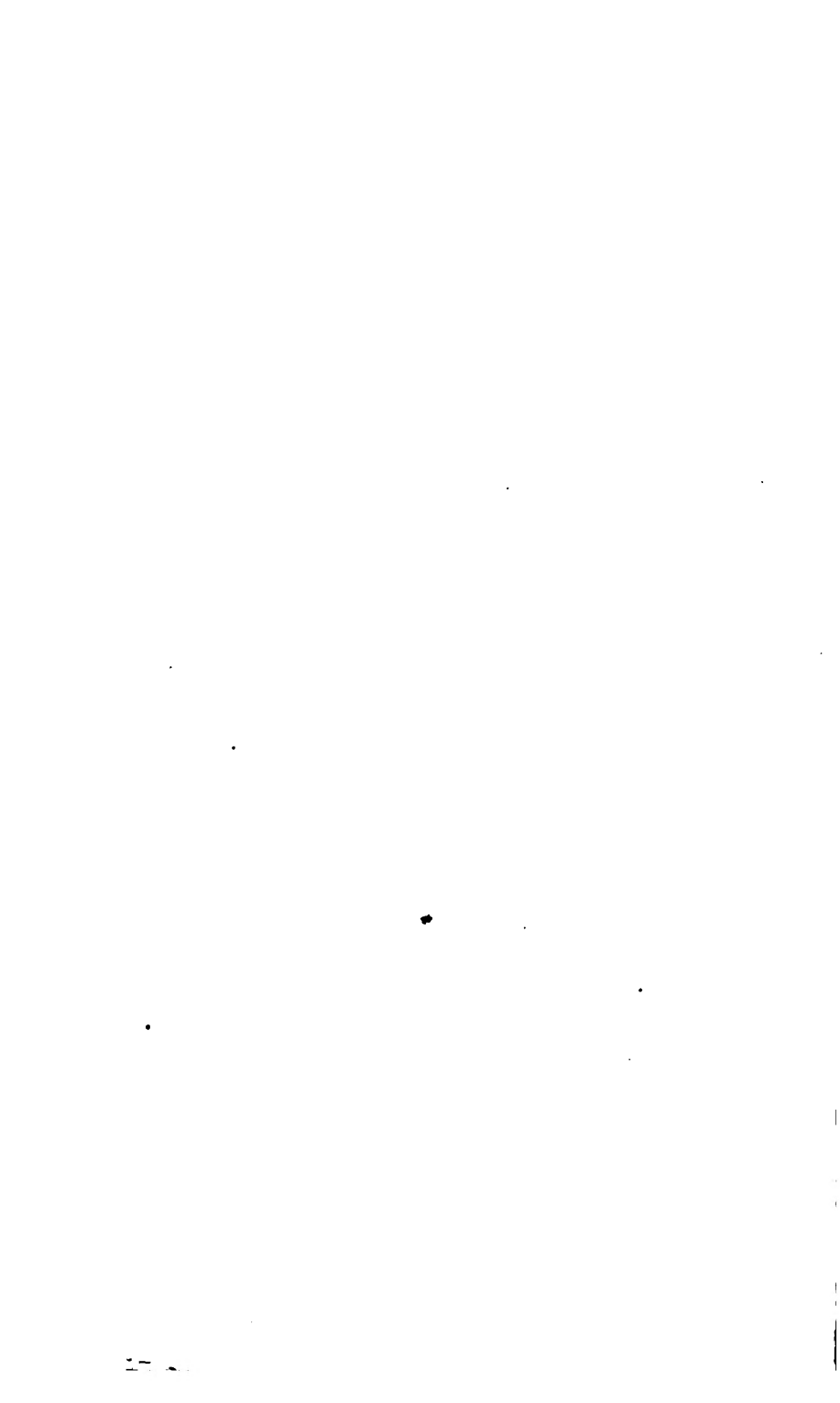
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THE NEW  
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OR GENERAL REPOSITORY OF  
HISTORY  
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For the YEAR 1811.

TO WHICH IS PREFIXED

The HISTORY of KNOWLEDGE, LEARNING, and  
SCIENCE, in GREAT BRITAIN, during the Reign of GEORGE THE THIRD.

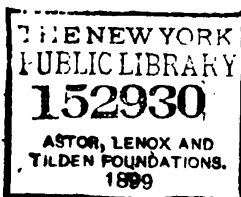
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LONDON:

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1812.





WILLIAM  
DUNN  
YASSEL

## P R E F A C E.

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**T**HE war in the Peninsula still forms the most prominent object in the History of Europe for the year 1811 : and this war, so far as it has been conducted by British generals, has brought with it, as glorious consequences as any that grow and distinguish our annals ; while, on the part of the Spaniards, it is marked by the same want of talent and success, where their regular armies are concerned, and the same intrepid perseverance wherever the people themselves appear. The general result is, that our successes scarcely outweigh, if they even equal, in their importance and effect, the state of the contest, the disasters of the Spanish armies, and the imbecility of the Spanish councils.

Next to the War in the Peninsula, the conquest of the colonial possessions of the enemy, which have this year achieved, deserve to be recorded : in the manner in which they have been accomplished, and in every instance, where resistance was offered, pro

that the British generals and the British troops in Spain may receive and welcome as brother soldiers those to whom the nation is indebted for those conquests.

Our domestic history is interesting, since it records many events connected with the display of our character as a commercial people, and as a people finding themselves in the possession of a greater share of liberty than falls to the lot of any other nation. Under these points of view, the passing of Lord Stanhope's Bill, on the one hand; and the attempts to alter and amend the legal proceedings in cases of libel on the other hand, claim our particular attention.

But in the domestic portion of our history, the state of Ireland is the most deeply and awfully interesting: we have given a full and we trust a cool and impartial view of this subject, which every day grows more serious, and appears to approach more rapidly to its crisis. Every real friend to Britain and to Ireland must wish, that our government may act with such a spirit of firmness and justice, united with clear and comprehensive views, as will make Britons and Irishmen but one people.

London,

4th June, 1812.

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**THE History of Knowledge, Literature, Taste, and Science, in Great Britain, during the Reign of George III.** pa

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THE  
HISTORY  
OF  
KNOWLEDGE, LITERATURE,  
TASTE AND SCIENCE,  
IN GREAT BRITAIN,  
DURING THE REIGN OF GEORGE III.

**T**HE reader will not suppose we have made a leap from the reign of Anne to that of the present sovereign; because, if he refer to the second volume of the New Annual Register, he will find a brief but very capital account of the History of Literature, &c. in this country from the death of queen Anne to the death of king George II, by the late reverend Dr. Kippis, who was the projector of the Work, and who contributed to it so long as he lived, or during the progress of fourteen or fifteen of its volumes. See vol. of the New Annual Register for 1781.

In writing the History of Knowledge and Literature, as we approach our own times the task becomes in some respects more easy, in others more difficult. The abundance of materials provided by the industry of our public journalists, or by the zeal of friendship, gives considerable facility to biographical researches; but in the crowd of subjects which solicit notice, the task of selection is not without its difficulties; and no small degree of judgement is requisite to prevent the literary annalist from being warped in his estimate of merit by prejudices in favour, or to the disadvantage of those whose

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party principles, and it may be, whose private differences but lately occupied the attention and divided the opinions of the public. Literature has its sects; and upon this topic, as well as upon religion, a sectarian spirit is a great hindrance to the perception of truth.

Though his present majesty never evinced any zealous wish to patronize polite literature, his reign has been distinguished by a number of individuals who have risen to considerable eminence as poets, dramatists, and critics. Among the first class, shines with conspicuous lustre the "melancholy Gray." This celebrated writer was the son of a money scrivener in the city of London, where he was born in the year 1716. At Eton school he deeply laid the foundation of classical knowledge, which department of literature he cultivated through the whole of his life with great assiduity. In 1734 he entered as a pensioner at Peterhouse College, in the university of Cambridge. After a residence there of four years, during which time he does not appear to have distinguished himself in the pursuit of academical honours, he quitted college and repaired to London, for the purpose of studying the law. To this study, however, he does not seem to have been much attached, and he quitted it without reluctance to accept an invitation to accompany his friend, Mr. Horace Walpole, on the tour of Europe. The tempers of Gray and his companion were, however, so uncongenial, that before they arrived at Venice they parted; and Gray, after pursuing the rest of his journey alone, returned to England in 1741. On the death of his father, which took place soon after his return home, he found it expedient in consequence of his limited circumstances once more to reside at Cambridge. Here his studious, retired, and, perhaps, his fastidious habits, rendered him an object of ridicule, and indeed, of such a degree of provoking though petty persecution, that being at length wearied out and disgusted with his college, he removed to Pembroke-Hall. In the mean time he had prosecuted his studies with a laborious diligence, which was guided by exquisite taste; and he had distinguished himself as a poet

poet by the publication of his Ode on a distant prospect of Eton College, and his Elegy in a Country Churchyard.

In 1768, a sense of his unobtrusive merits induced the duke of Grafton, without any solicitation on his part, to appoint him to the Professorship of Modern History; the emoluments of which situation are four hundred pounds per annum. Though the poet repaid the kindness of his patron by celebrating his installation in an ode pre-eminent for its spirit and sublimity, the habitual indolence of the *dilettante* took so powerful a hold of him, that he never fulfilled his intension of rendering his office efficient by delivering a course of historical lectures. Indulging in this indolence, he was attacked by nervous affections, and was at length carried off by an access of hereditary gout, July 30, 1771, in the fifty-fifth year of his age.

Gray was reputed to be one of the most learned men of his time: but of his learning he has left no memorials except a few copies of Latin verses which are, however, excellent in their kind. His English metrical compositions are also few in number; but they are most exquisitely finished, and are of the highest order of poetry. It must, however, be confessed, that as Gray was himself a scholar, he in general wrote for scholars. An acquaintance with classical mythology and history; and an ear for classical style, are requisite to enable a reader readily to follow the course of his ideas in his lyrical compositions. Hence it happens, that the small volume of his poems is most recommended to the public taste by his Ode on a distant Prospect of Eton College, and by his Elegy in a Country Churchyard. The topics of these pieces are general and obvious,—but they are embodied in language at once elegant and perspicuous; and they are tinged with that sober, pensive cast of thought, which so highly approves itself to the genius of the English nation. The “initiated,” however, (and to such in his more splendid compositions he professedly wrote,) will dwell with unaffected pleasure on the Bard, the Installation Ode, and the

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Ode



**Ode on the Progress of Poetry.** In spite of the ridicule of witlings and the cavils of malignant envy, these lyrical effusions will live and be perused with pleasure, while there exist any who unite an admiration of English poesy with a love of classic lore.

Mason may be characterized as a satellite moving round the splendid orb of Gray. He was born in the year 1725, and like his friend enjoyed the advantage of an university education, having been a member of St. John's College, Cambridge, when he took his first degree in 1745. Like his friend too he changed his college, for what cause, however, does not appear, and in 1747 was elected a fellow of Pembroke. Dedicating himself to the church, he obtained from the patronage of the earl of Holderness the valuable living of Aston, in Yorkshire, and was afterwards appointed precentor and canon residentiary of the cathedral of York. In that city he spent the remainder of his days in dignified opulence, and died in April, 1797, at the advanced age of seventy-two. Mr. Mason's most celebrated works are the tragedies of *Elfrida* and *Caractacus*, into which, in trying the experiment of the revival of the ancient chorus, he has introduced some sublime and spirited odes. It has been observed, that his attempt to revive the severity of the ancient drama completely failed. If this observation refer merely to scenic representation, it is correct; for on these tragedies being brought upon the theatre, they experienced from the public but a cold reception. But in fact, Mr. Mason did not write them for the stage. He composed them for the closet,—and there they are calculated to please by the splendour of their diction, and by their ornamented style. Mr. Mason's most popular works are his *English Garden*, a didactic poem, in which he zealously inculcates the modern system of following Nature in the laying out of grounds,—his *Elegies*,—and his translation of *Du Fresnoy's Art of Painting*. In his earlier compositions he stood forth as the bold and energetic champion of the principles of freedom;—but alarmed and scandalized by the horrors of the French revolution, and,  
perhaps,

perhaps, unconsciously following the bent of the times, in the year 1797, he purged himself of what was then considered as a political heresy, by publishing in a miscellaneous collection of his poems a palinody to Liberty.

Mason was, perhaps, more a student of nature and less of books than his friend Gray. But he does not soar to the height which was attained by his great contemporary; nor is his language equally chaste and free from affectation, as that of the avowed object of his enthusiastic admiration. The march of his verse is proud and stately; but his diction is not unfrequently stiff and laboured; and it is often rendered singularly unpleasant by the jingle of studied alliteration. But after making all proper deductions, we cannot deny to Mr. Mason a station of distinguished eminence among the poets of the present reign.

One of Mason's early poems excited, by political and academic collision, a brilliant spark of genius in one of his learned contemporaries. We allude to his *Isis*, an elegy, in which he adverted to the jacobinical principles, which for some time after the accession of the house of Hanover to the throne of these realms, were reputed to be fostered in the university of Oxford. In answer to this poem, Mr. Thomas Warton published, in 1749, the *Triumph of Isis*, in which he vindicated in manly strains the fair fame of his Alma Mater, and retaliated upon the bold aggressor of her reputation. When he thus avowedly came before the public as an author, Mr. Warton was twenty-one years of age, having been born in 1728 at Basingstoke, of which place his father was vicar. It has been asserted that he received the rudiments of his education at Winchester school: but, in point of fact, he continued under the care of his father till he had attained his sixteenth year, when he was admitted a commoner of Trinity College, Oxford. On the 1st of December, 1750, he took his Master of Arts degree, and in 1751 he succeeded to a fellowship. In 1757 he was elected Professor of Poetry, which situation he held for the customary space of ten years.

On the 7th of December, 1767, he took his degree of **B.D.** In 1771 he was elected a fellow of the Antiquarian Society; and on the 22d of October, in the same year, was instituted to the small living of Kiddington, in Oxfordshire. The year 1785 was fruitful to Mr. Warton of distinguished honours, as in the course of it he was appointed Camden Professor of History, in the university of Oxford, and also succeeded William Whitehead in the office of Poet Laureate. Of this office he did not long live to enjoy the emoluments, and to perform the drudgery. On Thursday, May 20, 1790, after passing his evening cheerfully in the common room of his college, he was suddenly seized with a paralytic stroke, the effects of which put a period to his mortal existence on the following day.

During a considerable portion of the year, Mr. Warton was habitually resident at the university. He did not, however, there waste his time in literary lounging, nor did he “steep his senses” in draughts of heady port. “He was a scholar, and a ripe and good one.” The range of his mind was extensive, and his judgement was penetrating and accurate. His edition of Theocritus, and his History of English poetry, respectively evince the depth of his erudition and the industry of his research. His lucubrations on Milton and Spenser likewise exhibit much sagacity of critical acumen, and pointed out the true way of elucidating the works of those English writers who first reduced our poetical language to method and consistency. Mr. Warton was not only qualified to investigate the poetical merits of others; he was also himself a poet. His poetical effusions are classically correct, and are enlivened by picturesque imagery. He was an accurate observer of the phænomena of nature; and though his poems do not abound in passages which rouse the feelings, they are rich in images which delight the fancy. His frequent references to the solemnity of the Gothic architecture, with the beauties of which, in consequence of his habitual residence amidst the finest specimens of that style, he was intimately acquainted, give to his works a striking air of grandeur,

**grandeur.** The office of Poet Laureate is of itself a fertile subject of ridicule, and this ridicule, especially at the commencement of his panegyrical labours, Mr. Warton did not escape. But it may truly be said of his annual tributes to his sovereign, that in them he selected his topics with skill, and that he has praised royalty without descending to the meanness of adulation. His poetical reputation will however be deteriorated by the temporary and local nature of many of his subjects; and his volumes will in all probability be henceforth found on the shelves of the scholar rather than on the table of the general reader. This is much to be lamented, as Warton certainly possessed much of the "*vivida vis animi*;" and it is to be wished that the laurels bestowed on academical industry may never fade.

Among the poets of modern times who have forgone the applause of future ages in their pursuit of temporary fame, may be noticed the celebrated Charles Churchill. This distinguished satirist was born in 1731, in St. John's, Westminster, of which parish his father was curate. He received the rudiments of his classical education at Westminster School: but he so little improved the advantages which he enjoyed at that excellent seminary, that when he was sent to Oxford he was not found sufficiently qualified in the learned languages to gain admission into the university. Mortified as he must have been by this rejection, and encumbered as he was by an early and improvident marriage, he had resolution sufficient to pursue his studies in private till he was deemed by Dr. Sherlock fit to enter into holy orders. At his outset in the service of the church the only preferment he obtained was a Welsh curacy worth about 30*l.* per annum. With a view of increasing this small emolument he went into the cyder trade, in which his ignorance, and probably his inattention also, soon reduced him to bankruptcy. Returning to London he was chosen to succeed his father in the curacy of St. John's; and in addition to the stipend of his benefice, he endeavoured to better his circumstances by instructing young ladies in reading and in English composition. His extrava-

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gant habits however, and especially his relish for theatrical amusements, soon involved him in fresh difficulties. But when want had roused him to exertion, this cause of his dissipation was by his genius converted into the source of emolument and fame. In March 1761 he published his *Rosciad*, a most discriminating but severe critique upon the principal dramatic performers of the day. Few poems since the *Durciad* have made upon the public mind an impression equal to that produced by the *Rosciad*. It rapidly went through a succession of editions, and at once raised its author to the pinnacle of celebrity. Success, however, had an unhappy effect upon the mind of Churchill. His fame was a passport into the company of wits and men of fashion; and if his principles were not corrupted, his habits became loose and debauched. He gave the finishing stroke to his moral reputation by contracting an intimacy with the celebrated profligate, John Wilkes, in whose political squabbles he engaged with all the warmth of friendship, as well as with the zeal of patriotism, and in whose defence he produced poem after poem, which though eagerly read at the time of their publication, are now, together with the circumstances which gave them birth, only known to the reader of minute and curious research. The career of Churchill was rapid and short. He did not appear as an author till the year 1761, and in the year 1764 he died of a miliary fever at Boulogne, to which place he had repaired to visit his friend Wilkes, who was at that time a refugee in France.

Churchill's first publication was also his best. The *Rosciad* is not only nervous and strong, but sufficiently polished. His great fault was carelessness in plan; detail, and style. But his faults are redeemed by numerous beauties; and so long as servility and selfishness shall be despised and detested by true-born Englishmen, his "Prophecy of Famine" will be read with the interest which is always excited by skilful and pungent satire.

Dr. Akenside also in some degree devoted his muse to political

tical topics. Had he made these topics the exclusive subjects of poetic illustration, he would long since have descended to oblivion. But he was not only a politician, he was also a philosopher; and his work entitled "*Pleasures of the Imagination*" ranks among the best didactic poems in the English language. At the age of eighteen Akenside was sent to the university of Edinburgh for the purpose of entering on a course of study proper to qualify him for the office of a dissenting minister. Soon, however, quitting theology, he turned his attention to medicine; and after continuing during the usual course of three years at Edinburgh he went to Leyden, where he took his doctor's degree in 1744. In the same year he firmly established his reputation as a poet, by the publication of his "*Pleasures of the Imagination*". It has been justly remarked by a discerning critic, that "his after performances never equalled this work, which was finished at the early age of three and twenty;" and had he lived to perfect his design of new modelling it, if he had rendered it more correct in principle, he would most undoubtedly have greatly impaired its energy, and diminished its spirit. In its original state it affords one of the finest specimens extant of the capabilities of English blank verse. Its march is stately and dignified, and its diction classically pure and elevated. Akenside indeed seems to have been endowed with an excellent ear. He possessed the happy art of lengthening out his periods without sacrificing either perspicuity or harmony; and his pauses are artfully and elegantly varied. His illustrations are well chosen; and throughout the whole of this composition he evinces a relish for the beauties of nature, and an intimate acquaintance with the works of ancient and of modern writers of the greatest celebrity. His lyric compositions are cold, stiff, and ungraceful; and it is remarkable that when he converted his *Epistle to Curio*, a warm and pungent invective against the apostate earl of Bath, into an ode its spirit entirely evaporated.

In many of his poems Akenside expressed himself with so much enthusiasm in praise of liberty, and on this topic so closely

closely copied the style of the classic poets of antiquity, that he was suspected of a leaning towards republican principles; and on that account underwent no small degree of obloquy. This circumstance, however, did not finally obstruct his promotion; for on the first settlement of her majesty's household he had the honour of being appointed one of her physicians. This situation he held till June 1770, when he died of a putrid fever in the forty-ninth year of his age.

In the reign of his present majesty there flourished two other physicians who united an attachment to the muses with skill in the healing art. We allude to Dr. Armstrong and Dr. Smollet. The former of these writers was the son of a Scotch divine, and was born about the year 1709 at Castleton, in Roxburghshire. In 1732 he took his degree in medicine in the university of Edinburgh. His first poetical publication appeared in 1737, under the title of the "Economy of Love;" a poem of considerable power, but bordering too closely on the licentious to confer on its author honourable fame. From time to time he produced several other pieces which scarcely rise above mediocrity. The work upon which his reputation is principally founded is "The Art of Preserving Health," a didactic poem in four books. This subject obviously opened to the poet a vast range of topics, from which Dr. Armstrong has made a judicious selection. His diction is rather copious than elevated, perspicuous rather than animated. He is not ambitious of ornament; but he is natural and pleasing. He does not reach the lofty pitch of his brother physician Akenside; but he does not like him occasionally degenerate into stiffness and affectation of phraseology.

Dr. Armstrong lived to an advanced age. He died in September 1779; and it is a matter perhaps not unworthy of remark, that though his high spirit and his disdain of the arts too frequently adopted to rise in the medical profession had greatly limited his practice, yet by the exercise of prudent economy he had before his death attained to opulence in his circumstances.

Tobias Smollet was, like his friend Armstrong, a native of Scotland, having been born in 1720, near the village of Renton in Dumbartonshire. He was educated in the grammar school of Dumbarton, whence he was removed to the university of Glasgow. In this city he was apprenticed to a surgeon, with whom he did not continue long; and when he quitted this situation he went to prosecute his studies at Edinburgh. When he had attained the age of nineteen he repaired to London. In this great mart of talent he could only raise sufficient interest to procure the office of surgeon's mate in the navy, in which capacity he witnessed the siege of Carthage in 1741. Being soon disgusted with the drudgery to which his professional duty exposed him, he quitted the service, and he made some efforts to establish himself as a physician at Bath; but these were unsuccessful. He therefore relinquished the practice of medicine, and fixing his residence at Chelsea determined to rely upon his pen for support. Nor was he disappointed in his expectations. Few authors have been more industrious or more versatile in the display of their talents than he was. By his writings in almost every department of literature he contrived to live in honourable independence till the year 1771, when he died at Leghorn in the 51st year of his age.

Smollet is most generally known as a novelist: but his merit as a poet is not inferior to that which he evinced as a writer of romance. The poems which he has left behind him are so exquisite in their kind, that the reader of taste regrets that he did not devote more time to this species of composition. But, alas! Smollet wrote for bread, and the time was not yet come when poetry was vended at so much a line. We may, however, venture to prophesy, that when the effusions of the prolific poetasters of more modern days are consigned to merited oblivion, his noble "Ode to Independence," and his plaintive "Tears of Scotland," will to distant ages be freshly remembered.

It was also the destiny of another of the most attractive of our later poets to gain his subsistence by labouring for the booksellers.



booksellers. We allude to Oliver Goldsmith, a native of Elphin in Ireland, who after being obliged to quit the university of Edinburgh by stress of want travelled through the continent on foot, indebted to casual hospitality for shelter, and to charity for support. On his return to England he was obliged for some time to drudge in the ill-requited office of usher to a private school; but breaking out of the house of bondage, he commenced author, and soon astonished the town by the publication of "The Traveller." The celebrity which he deservedly obtained by this poem gave him currency in the first literary circles. He was admitted into Johnson's celebrated club of wits; and he soon increased his fame and his fortune by bringing on the stage a successful comedy. His facility in composition procured him ready and profitable employment from the booksellers; but his habits of carelessness and extravagance involved him in perpetual difficulties, which were also aggravated by the generosity of his disposition. The embarrassed state of his affairs at length brought on a despondency of mind which caused him to fall an easy victim to a disorder which in happier circumstances he might have overcome. He died in March 1774, adding another name to the numerous list of those whose history evinces that genius without prudence is a passing meteor, which shines for a moment and then sinks in darkness. "It would not be easy," says a judicious critic, "to point out in the whole compass of English poetry pieces that are read with more delight than the 'Traveller' and 'the Deserted Village.' The elegance of the versification; the force and splendour, yet simplicity of the diction; the happy mixture of animated sentiment with glowing description, are calculated to please equally the refined and the uncultivated taste."

Among the poets who have adorned the reign of his present majesty, a place of distinguished pre-eminence is due to William Cowper, esq. The interest which his poetry excites in the general mind is greatly enhanced by the extraordinary circumstances of his life. Born of a noble family, and destined to the study of the law, the road to emolument and honour

honour was laid open to him by the kind interposition of his friends : but he was prevented from pursuing it by a morbid sensibility, which at the very crisis, when to common observers he appeared to be the favourite of fortune, totally overpowered his reason. On his convalescence, wandering from place to place, he found at Huntingdon in the benevolence of the family of the Rev. Mr. Unwin an alleviation of his mental woes, and an asylum from the storms of life, which he was little able to encounter. On the death of his friend he accompanied his widow to Olney in Buckinghamshire, where they endeavoured to beguile their sorrows, by devoting the principal part of their time to the active and contemplative duties of religion. But in this retirement he was pursued by affliction. On the 20th of March 1770 he lost his brother John, fellow of Bennet College, Cambridge. This event produced a deep depression of his spirits, which for the dreary space of seven years totally incapacitated him for mental exertion. At the end of that time he gradually recovered. In the year 1781 he published the first volume of his poems, which being of too religious a cast for the great mass of readers, and too refined for the general body of the sectarians to whom its principles were acceptable, was coldly received by the public. In the month of September in this year Mr. Cowper formed an acquaintance with Lady Austen, widow of Sir Robert Austen, bart., which soon ripened into friendship. This circumstance is of importance in his literary life, as it was to the suggestion of Lady Austen that the public are indebted for the "Task," which exquisite poem was written in consequence of her requesting Mr. Cowper to exercise his talents in the composition of blank verse, and of her sportively proposing a Sofa as a proper theme. The poem commences with some sportive discussions of this topic, but soon falls into a serious strain of moral descriptions, intermixed with excellent sentiments and portraitures, with no perceptible method, but freely ranging from thought to thought, from the image to its improvement, as unshackled fancy happens to suggest. "It is difficult," says a good writer,

writer, "to determine which is the most conspicuous excellence of this charming production. In the description of natural objects it unites the most minute accuracy with striking elegance and picturesque beauty. The pious and moral reflections of the "Task" touch the heart with irresistible force; and its delineations of character are life itself. The personifications and allegorical figures interspersed display high powers of fancy; and the figure of Winter riding on his sledge car, may vie in sublimity with any poetical effort of imagination." There is added to this volume a piece entitled "Tirocinium, or a review of schools;" which is a piece of great merit, and is replete with striking observations. The popular story of "John Gilpin" shows that Mr. Cowper had a strong perception of the ludicrous, naturally balancing in his disposition the gloomy propensity which circumstances rendered finally predominant.

The celebrity which he acquired by the publication of his "Task," enabled him to procure numerous subscribers to another work also suggested to him by the kindness of Lady Austen, namely, a translation of the Iliad and Odyssey of Homer into blank verse. This exertion seems to have been too great for his enfeebled frame; or perhaps the want of stimulus consequent upon the finishing of an undertaking of such magnitude was detrimental to his intellectual health. However this may be, certain it is, that the closing period of his life was dark and dismal. It was his lot for five years to survive Mrs. Unwin, "the dear companion of his walks;" during which time no ray of light could penetrate his mental gloom. Nothing was capable of durably relieving his mind from the horrible impressions which it had undergone, and almost absolute despair was the state in which it finally settled. On Friday, April 25th 1800, death terminated his sufferings.

Mr. Hayley has justly observed that Cowper became a poet from the noblest of motives,—from a desire to promote the moral and religious improvement of mankind; and in preparing

paring himself for the discharge of this duty he applied himself to the genuine source of sublime thoughts and pure affections;—the holy Scriptures. In his earlier poetical productions he, upon due consideration, preferred as his model the nervous roughness of Dryden or Churchill to the unvaried smoothness of Pope. Hence his lines, though always pregnant with sense, are not unfrequently, when separately examined, found to be deficient in melody. This was not the effect of indolence or of carelessness, but of deliberate design, grounded upon a persuasion that in a composition of length a variety of pause, and even occasional approaches to a violation of rhythm are necessary to awaken attention and to preclude the fatigue which is occasioned by the sweetest monotony.

In his great work "The Task," Cowper pours the scenes of nature with a pencil equally bold and delicate. The delineation of domestic scenery also bestows upon this poem a double power of attraction. In his serious reflections on the most weighty topics that can suggest themselves to the human mind, like the sages of old, uniting the characters of the moral instructor and the poet, he appears in a truly venerable light: and while the objects of the satirical effusions which are interspersed in his poem may well tremble at his reproofs, it must be acknowledged that those reproofs are too justly provoked by the insolence of the vicious, and the frivolity of the vain.

Mr. Cowper's translation of Homer did not answer the expectation of the public. The general disappointment which was experienced on its publication was occasioned by the ruggedness of his verse, and the want of elegance in his turn of expression. It has been well observed, that "if Pope justly stands accused of applying the meretricious ornament of paint to the countenance of the venerable Grecian, Cowper is guilty of stripping off his skin and exhibiting all the coarse protuberance of his muscles." Of this he seems to have been himself aware, since he employed the few lucid weeks which he occasionally enjoyed, during the last suspension of his faculties, in bestowing on it some degree of polish.

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The letters of Mr. Cowper, published since his death by Mr. Hayley, contain a rich store of intellectual pleasure for those who are capable of refined feelings, and of estimating high moral excellence.

*Biog. Brit.—Johnson's Lives of the Poets.—Hayley's Life of Cowper, &c.*

BRITISH AND FOREIGN

# HISTORY

For the Year 1811.-



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# BRITISH AND FOREIGN HISTORY

For the Year 1811.

## CHAPTER I.

*Introduction—Account of the Causes of the assembling of Parliament, by the Lord Chancellor—The same Business in the House of Commons—Motion in the House of Lords for a further Adjournment—Debate in the Commons on the same Subject—Lord Camden's Report of the Examination of the Physicians by His Majesty's Privy Council—Debate in the Lords on a Motion for a third Adjournment—A similar Motion discussed in the Commons—Select Committees in both Houses appointed to examine the Physicians—Debate in the House of Commons on the State of the Nation—Debate on the Report—Conversation in the House of Lords—Earl of Carlisle's Speech on the Contradictions in the Evidence of the Physicians—Debate on the Earl of Liverpool's Motion on the State of the Nation.*

WE have in the fifteenth chapter of the preceding volume given an account of the unexpected meeting of parliament in November 1810, occasioned by his majesty's illness. The nature and causes of this malady were also described, which will render it unnecessary for us, in this place, to do more than give a summary of the proceedings in parliament as belonging to that session, which, though commenced on the first of November, did not terminate till towards the end of the following July.

Although his majesty had prorogued the parliament to the first day of November, it was understood, and even well known, that this was not the period intended for the commencement of business, but that a further prorogation was intended, of which, indeed, notice had been given in the Gazette. This however could be effected only by a commission signed by the king, and when the moment arrived his majesty was so much indisposed as to be unable to affix his signature: accordingly exertions were made to obtain as large an



attendance in both houses as possible. In the house of lords about thirty members assembled ; but in the commons there was a much larger number.

The lord chancellor, in the upper house, stated, that it was with the deepest concern and regret that he found himself under the necessity of informing their lordships, that such was, at present, the state of the personal indisposition of his majesty, that he had not thought it his duty, under the circumstances, to proffer to his sovereign a commission to receive the sign manual. His lordship proceeded at some length, and was followed by

The earl of Liverpool, who moved, 1st, That the house at its rising should adjourn to the 15th of November. 2dly, That for that day all the lords should be summoned. 3dly, That the lord chancellor should be directed to write to every noble lord, informing him that his attendance was expected on that day. These motions, after a few observations from lord Holland, were agreed to without a dissentient voice.

In the house of commons, the speaker spoke to the following effect :

"This house is now met upon the day to which it was last prorogued. But I have to inform the house, that notwithstanding his majesty's royal proclamation in the Gazette, intimating his pleasure that parliament should be still further prorogued to a future day, we are not to expect any message from his majesty's commissioners on this occasion ; no commission having been issued further to prorogue parliament. Under these circumstances, it becomes my duty to take the chair of this house, in order that this house may be enabled to

adjourn itself to such time as the house in its wisdom shall deem fit ; and I do therefore take the chair accordingly."

The chancellor of the exchequer then rose, and said, he was persuaded it would be unnecessary for him to state, that the house was then assembled upon the day to which it had in the last instance been prorogued to a future day : the house would very naturally be anxious to hear, why, after such declaration of his majesty's pleasure, his majesty's servants were unable to carry into effect his majesty's wishes, and were not prepared with a royal commission for that purpose. To relieve that anxiety, it became his duty, his most painful duty, to state, that it was owing to the indisposition of his majesty that his majesty's servants had been unable to give effect to his royal proclamation—that it was owing to the severity of that indisposition that the lord chancellor, whose immediate duty it was to take his majesty's orders on such subjects, could not obtain the royal signature to a commission further to prorogue parliament. It would not be necessary for him, he was persuaded, to inform the house, that, under such circumstances, it would not be consistent with his duty, or the principles of the constitution, for the lord chancellor to affix the great seal to such a commission, without the sanction of the royal sign manual. Perhaps the house would permit him, on that occasion, to add one or two observations on the actual state of his majesty's health. In doing this, he was persuaded that it would be wholly unnecessary for him to say any thing with a view to increase those feelings of anxiety and concern entertained by the public at large

large respecting the disorder affecting his majesty; nor should he then mention the circumstance which he meant to state to the house, but that he was persuaded the public would derive from it very considerable consolation respecting the nature and duration of his majesty's present indisposition. If any thing could afford real consolation to the feelings of unfeigned affection and affliction which pervaded all classes of the public, it must be the consideration that the cause of his majesty's present illness was to be ascribed to his steady unremitting attention to the painful and protracted sufferings of a beloved daughter. He did not mention this circumstance as new to those who heard him; for it was notorious to the nation at large, that from that cause principally the illness of his majesty had arisen; but he could not omit to observe, that the knowledge of that fact must give rise to considerable and well-founded hopes of his majesty's early and complete recovery. He had the satisfaction also to inform the house, that the symptoms of his majesty's complaint were peculiarly mild, as well as that his majesty's physicians entertained and expressed strong and sanguine expectations of his recovery. Having said thus much upon this most interesting subject, it only remained for him to touch briefly upon the practical question, as to the course which it would be proper for the house to pursue on this occasion. They had, he said, a case in modern times, which, as it appeared to be analogous, should be considered a guide for their proceeding, and afforded a precedent of a similar adjournment (alluding to the case of his majesty's first melancholy indisposition, in 1788).

Upon this and various other considerations it was that he meant to propose an adjournment for a fortnight; and he trusted the house would feel them so forcibly as to go along with him in his motion. The house was aware that the object of the adjournment was to obtain a fuller attendance than in the present instance could possibly be expected; and in order to promote that object, he proposed to move for a call of the house; and to give the more effect to this call, he should also move, that circular letters be transmitted by the speaker to all the members of that house, to apprise them of the order for calling over the house on this day fortnight. Having thus put the house in possession of his views on the subject, he had nothing further to add, and should conclude with moving, that the house at its rising should adjourn to this day fortnight.

On the question being put,

Mr. Sheridan rose, and declared, that he concurred entirely in all the sentiments which had been so well and so forcibly expressed by the right honourable gentleman who had just sit down. He was most highly gratified, as he was convinced every gentleman present and every individual in the nation must be, at the consolation held out in the statement of the right honourable gentleman, that the most sanguine expectations might be entertained of the speedy recovery of his majesty. Impressed with such feelings, he should not take up more of the time of the house, but simply to say, that he should second the motion.

The motions were all agreed to.

Nov. 15. The lord chancellor, in the house of peers, left the woolsack, advanced towards the table, and addressed the house:—"My

lords, there being now a full attendance of your lordships, I trust you will indulge me, in allowing me to restate from this place what I had the honour to state to the house on the 1st instant from the woolsack. It is my intention to conclude with a motion, and therefore I wish to make the statement from this place. My lords, when your lordships assembled on the 1st of this month, after it had been publicly notified that it was his majesty's royal will and pleasure that this parliament should be prorogued to the 29th of November, and that a commission for such prorogation should be issued under the great seal, I then stated, that in obedience to his majesty's commands I had prepared a commission for such prorogation, but that in consequence of his majesty's indisposition such commission could not receive his majesty's royal signature; and I had not felt it consistent with my view of my duty to put the great seal to that commission, without his majesty's sign manual. It is for your lordships to judge whether in this view of my duty I have committed any error. I do not mean to enter into the discussion of the question as to the legality of a commission having the great seal affixed to it, and purporting to have the king's sign manual, but which it had not received. I only mean again to state, that in my conception of my duty I did not conceive myself authorized to affix the great seal to the commission to which I have alluded, without the king's sign manual. My lords, I then stated what I am now anxious to restate, that his majesty's indisposition arose entirely from the pressure of domestic affliction operating upon his paternal feelings, and that the phy-

sicians then in care of his majesty entertained a confident expectation of his majesty's recovery. My lords, as the physicians then had a confident expectation of his majesty's recovery, so they now also entertain a confident expectation of his majesty's recovery, regard being had to his majesty's time of life, and to his majesty's former state of health. This is the unanimous opinion (I am anxious to state their own words) not only of the physicians then in attendance, but of those whose care has since been thrown around his majesty, and is given with as much certainty as can be attached to prognostics upon medical subjects. Those physicians also who now attend his majesty, and who attended his majesty on a former indisposition, state that they see in the present state of his majesty all the symptoms of approach towards recovery, and none of the symptoms which indicate the delay of recovery. Upon the statement which I made on the 1st of this month, one of your lordships moved to adjourn for fourteen days, the shortest period within which parliament can by law be assembled upon any emergency for the dispatch of business: your lordships are now assembled in pursuance of that adjournment, and it is for the house to determine what course it is proper to pursue. Under the circumstances which I have stated, I trust in God, from the favourable symptoms of his majesty's indisposition, that there will be no necessity for the adoption of any proceeding by this house to supply the defect of the royal authority; and I may be allowed to express my opinion, that the most delicate and proper mode of proceeding in the present instance, would be to adjourn for fourteen days. My lords,  
it

It is with feelings of affliction for the indisposition of his majesty, in which I am sure all your lordships participate, that I make this motion, and at the same time in the confident hope that at the expiration of that period no proceeding will be necessary." His lordship concluded by moving an adjournment till this day fortnight.

The earl of Moira. "My lords, I hail with joy, in common I am sure with all your lordships, the pleasing prospect held out to us by the noble and learned lord, of his majesty's recovery. Upon a question of this nature, the important consideration necessarily must be, whether the temporary suspension of certain parts of the regal power will be of such essential injury to the public interests, that our public duty requires us to proceed immediately to make provision for the exigency. Conceiving, as I do, that no material inconvenience will result to the public interests from the delay proposed, I give my cordial support to the motion of the noble and learned lord."

Lord Grenville said, that he perfectly concurred in what had fallen from the noble earl respecting the comparison of inconveniences. There was, indeed, nothing before them but a choice of embarrassments: that was his opinion when he heard the first tidings of this melancholy and afflicting event. He would not dwell upon this painful topic; not because he did not feel upon it most deeply, but because he knew that there was nothing that he could say that could add to the feelings of other noble lords. The noble and learned lord on the woolsack had hardly done himself justice, in intimating the possibility of a doubt on his own conduct. He was convinced of the purity of

that noble and learned lord's motives and conduct, on this trying occasion, in that particular point. No man, understanding the principles and practice of the constitution, and the proper uses of the powers of its respective branches, and with a just regard to truth and justice, could advise the affixing of the great seal of the kingdom, which purported to bear the royal signature, by any individual, during the present situation of the sovereign. With the cheering hopes held out to the house, (not indeed by any evidence or written documents, but) collected from the speech of the noble and learned lord, of the speedy deliverance and recovery of the sovereign, he was ready to agree to the adjournment proposed. There was a great duty for their lordships to discharge, to his majesty, and to the people. He would rather err, however, on the side of forbearance and delay, than on that of precipitation. That principle had formerly regulated the conduct of parliament. It was then thought best to make successive short adjournments, according to the circumstances of the case and the progress of recovery, as it gave to parliament, then become, as it was now, the guardian of the king's person and rights, the power of meeting all the exigencies that might arise. On that ground he should now have preferred a shorter adjournment, followed up by adjournments from time to time as the symptoms of amendment continued to appear. Anxious, however, for unanimity, he should vote for the motion. The king's ministers could alone pronounce on the state of the country, and whether the circumstances in which it was placed were or were not such as required the immediate attendance

of parliament. In proposing this adjournment, they took upon themselves a heavy responsibility, which, he doubted not, they felt themselves prepared to justify to their own minds and to their country. He should now only offer up prayers to Almighty God, that this may be the last occasion for any similar adjournment; and that such circumstances may providentially arise, as would restore to his majesty the exercise of the kingly power, and to parliament the regular use of its ordinary functions, instead of their assembling as a convention of the states of the realm. If, however, the latter of these alternatives should unhappily take place, he was prepared to say, that they must then lay down for their regulation the principles which he had stated, and act upon those precedents which had been already laid down. In the mean time, he for one should give his assent to the present motion.

Earl Stanhope declared, that all he wished was, that the house should lay down the constitutional grounds of its present proceedings. If he consented to the present motion for adjournment, it should not be for the sake of unanimity alone; but for this reason, that from the very short notice of the former meeting, and from the shortness of the time that has since elapsed, a number of peers may not have been able to come up from the distant parts of the country, and therefore would probably wish for some further postponement; but principally because he thought that they had no right to meet at all.

The Duke of Norfolk expressed his strong concurrence in the propriety of the motion now before the house, and the satisfaction which he felt in learning that con-

fident hopes were entertained of his majesty's speedy recovery.

The earl of Liverpool spoke at length in favour of the motion: several parts of his speech were replied to by

Earl Grey, who was desirous of not interrupting unanimity, though he doubted the propriety of so long an adjournment: "Already," said his lordship, "above a month has passed, and the duties of the kingly office have not been performed. Is not this, my lords, in times like the present, a matter deserving of grave consideration? Should the ardent prayers, which in common with all classes of his majesty's subjects I devoutly offer to Almighty God for his majesty's restoration to health, be heard, have we that prospect of a full and entire recovery which we entertained in 1788? At this period it is unquestionably desirable that all the energies of the royal mind should be awakened. I am sure no man can feel more sensibly than myself the distressing calamity that has befallen his majesty, or can send up more eager wishes for its removal. But at the same time, I trust that the house will not shut its eyes to the calculations of probability, and to the actual condition of the country. Let the house reflect well on the state in which the empire is placed. The time is come when all personal objects must be sacrificed, all party contentions cease. The functions of the royal power are sacred, and the duties of parliament equally so. It must now become the great end of our exertions and deliberations to preserve in full vigour both the one and the other, and to submit every minor care to the important purposes of preserving the integrity of the constitution, and of establishing the interests of the country."

Lord

Lord viscount Sidmouth said a few words, and the motion was agreed to.

On the same day, in the house of commons, the chancellor of the exchequer made a similar motion. Having entered fully into the question, he said, "If there can exist a doubt as to the propriety of such proceeding, then I should think none will remain as to what we should do now, when I have communicated to the house the intelligence I have in the course of this day been possessed of, and which I shall feel so much satisfaction in stating. Having felt it my duty to have the best information on this afflicting subject, I have to state, that I this day repaired to Windsor, for the purpose of ascertaining the present state of his majesty's health—I there saw the physicians, and I have the pleasure of acquainting the house, that all the physicians were unanimously of opinion that his majesty's health was in a state of progressive amendment—and also, that that progressive amendment had already actually begun to take place. That this statement cannot be other than most grateful to every gentleman who hears me, I cannot for a moment permit myself to doubt. It is, then, under circumstances so consoling, so cheering, that I now suggest to the house the propriety of waiting the more decisive issue of this favourable turn which the short lapse of the same interval may afford us. We have good grounds for indulging in the best hopes that that interval will be productive of that fortunate issue, for which the wishes and the prayers of the country have been so earnest; and, on the other hand, I see no ground for apprehending the occurrence of any pressing exigency requiring the meeting of

parliament before the expiration of that interval. Unless, therefore, circumstances of extraordinary and paramount urgency had occurred, during the period of the late adjournment, requiring the immediate aid and operation of parliament, I do not see how the house can be expected to proceed forthwith to the dispatch of the public business. But when the existing circumstances are of a nature so different, when they are calculated to encourage expectations the most consoling, I feel confident that the house will, in a crisis of such delicacy, forbear to institute, as yet, any great public measure whatever. With these impressions, and under such a view of the subject, I shall now move, 'that the house do, at its rising this day, adjourn to this day fortnight.' "

Mr. Whitbread said this was virtually the first day of the sessions, for their former meeting was avowedly for the purpose of adjourning over. And upon the opening of the sessions, they meet under the alarming circumstances of his majesty being no longer in a state to transact business. And yet they are now asked not to proceed to provide against so serious a deficiency in the conduct of the government, but to adjourn over for another fortnight. Where there was an actual physical necessity, no doubt it must be yielded to; but what was the urgency of the necessity then requiring them to suspend the executive government for another fortnight? The constitution was suspended—it existed not separable from the executive power of the king—and yet they were now called upon to continue the suspension of the constitution for another fortnight:—and upon what ground, upon what authentic testimony,

testimony, upon what recorded evidence, was it that they were now asked to do this? Upon no such ground—in short, upon nothing but the bare, unrecorded statement of the chancellor of the exchequer! Was it upon such matter as that, they were required to ground a parliamentary proceeding, in a crisis of such importance? Why had not the privy council been assembled, and the physicians examined before them? or, if that had been done, why was not the evidence of those physicians laid before the house, to enable it to form its own judgement, instead of being obliged to hazard conjectures upon the mere assertions of a member of parliament? In their ordinary course, that house was not in the habit of grounding their proceedings upon mere vague assertions coming from any individual. No parliamentary proceeding in a case of such importance ought to be grounded upon the mere assertion of one of their own members; they were to consider not only the king, but the people, and both in reference to the other: the people had a sovereign whom they loved, and the king had a people whom he loved: that house should look to the interests of each, in order best to discharge their duty to both. He need scarcely repeat the regret he felt for the severe afflictions of the king; his sense of them was such that he could not conscientiously agree to the house adjourning over for more than from day to day. In case of an event, which God forbid! the house ought not to extend their adjournment to a longer interval at such a crisis. He did not wish to distract or to divide—to create either jealousy or anger—but at a period when the country was deprived of the executive part

of the government, he must enter his solemn protest against any measure that would for another fortnight continue to deprive them of the aid and counsels of the remaining two branches of the legislature; though he would not divide the house upon the question.

Sir Francis Burdett said that, agreeing as he did in the greater part of the observations which had fallen from the honourable gentleman who had just sat down, he was determined not to let the question go to a decision without dividing the house upon it. The motion now submitted to them he conceived to be one of the most irrational and unconstitutional propositions ever made in that house. He would never consent to compromise the constitution. Had he been present on the last day of meeting, he would have opposed every motion for adjournment. The constitution was suspended, and he would not have agreed to a moment's delay, till that constitution was restored; but now, after that delay—after deferring their duty so long to the people—were they now still further to postpone it for another fortnight? But the time was not of such importance as the principle. He would resist it; and if he stood alone, he was determined to divide the house. If the ministers were resolved, at the risk of the country's safety, at all hazards, to prolong to the utmost limit the tenure by which they held their places and their power, they and others might do so; but he would not go back to the people to tell them, that after the constitution had been suspended for a fortnight, he had voted that it should be suspended for a fortnight longer. A state of anarchy had existed sufficiently long. He would do what he could to restore to the people

people the government of the constitution.

Mr. Tierney and lord A. Hamilton spoke against the adjournment, and Mr. Fuller was in favour of it. Mr. Ponsonby was for adjourning for a week only; and sir Samuel Romilly thought there should be no adjournment longer than twenty-four hours.

A long debate ensued, in which many of the leading members took a part; after which the question was called for, when the house divided on the question, For an adjournment for a fortnight,

Ayes . . . . . 343

Noes . . . . . 58

Majority . . . . . 285

Nov. 29.—Earl Camden, in the house of lords, (president of the council,) rose and stated to their lordships, that examinations had taken place, before his majesty's privy council, of the physicians who attended the royal person, touching the state of the king's health. His lordship, after a few observations, concluded by proposing them to be read. After some remarks from earl Grey, the minutes of the examinations were ordered to lie on the table, and to be read. They were accordingly read by the clerk.

The result of these examinations was, that it was the unanimous opinion of all his majesty's physicians, that though his majesty was incapable of coming to parliament, or of attending to public business, yet they entertained the most confident hopes of his recovery, but were unable to state at what period he might become convalescent.

The earl of Liverpool then rose and said, that the house having adjourned to that day on account of

the lamented continuation of his majesty's ill health on the last day of their meeting, the privy council had assembled, and had made the important examination, the particulars of which were now on their lordships' table, and had been twice read in their hearing. From that examination of his majesty's physicians, his lordship deduced three important leading points of consideration. First, the establishment of the fact, that the present state of his majesty's illness prevented him from attending to any public business, and the consequent suspension of the exercise of his royal functions. Secondly, the confident hopes and expectations entertained by the physicians of his majesty's recovery. Thirdly, that as to time, though nothing specific could be stated respecting the duration of the king's indisposition, yet there existed already a considerable amendment of his majesty's health. With these three material points before them, it would be for their lordships' wisdom and justice to determine what mode of proceeding it would be fitting for them to adopt under all the circumstances of the case. His lordship after a speech of some length moved, that the house at its rising should adjourn till Thursday, the 13th of December next.

Earl Spencer objected to the proceedings adopted by ministers on this occasion. He said their lordships would not discharge the duties of their stations, if they did not abstain from doing any thing that might injure the constitution; but, on the contrary, they ought to proceed to remedy, as far as they could, that existing defect which all so deeply lamented. The evils of the actual suspension of the kingly office must be great and dangerous.



gerous. He was not enough of a lawyer to attempt to describe them in all their various injurious bearings on the affairs of the whole community. More particularly must such evils be felt in the present situation of the country, which was widely different, indeed, from what it was in the year 1788. Not a moment's time ought to be lost in putting the constitution into its proper state. If their lordships could bring their minds to this adjournment under all the circumstances, they must be blind to the consequences that might ensue. What title or authority had parliament so to act? After various other arguments, the noble earl alluded briefly to the sentiments on the great question that might soon come again before them, as they were held by him in 1788. Had he ever seen cause to change them, he would readily confess the alteration of his opinions: but, on the contrary, the most mature reflection on the subject had convinced him, that they were constitutional and well founded. His lordship concluded by moving as an amendment, that all the words in the original motion after the word "That" be left out; and that instead thereof should be substituted words to the following effect:—"("That") the house do appoint a committee to examine the physicians appointed to attend on his majesty, touching his present melancholy indisposition, and to report the same."

Lord Moira and lord Holland spoke in favour of the amendment: lord Harrowby and the earl of Westmoreland were for the original motion. The question being put,

Lord Grenville rose, and said, that having heard nothing in support of the proceeding recommended by ministers, he was under the

necessity of introducing the argument. Never had he a wish so permanently formed as that the proceedings might be unnecessary, which in case of the continued suspension of the executive power it would be proper to adopt. There were many things in the state of the country which made him entertain that wish. But whatever course it might be expedient to pursue, he was anxious that the states of the realm should be unanimous in their proceedings. Their lordships were now called upon to defend their own consistency. It might be asked, If on a former occasion they consented to adjourn for a fortnight, why refuse it now? How far, he wished to know, did ministers mean to extend this principle? how long did they intend to adjourn, and adjourn, and adjourn? Did they mean, by thus assuming all the functions of the executive government, to sanction the calumnies of the enemies of the constitution, who represented the kingly office and attributes as mere empty names, and that the constitution was vested in ten or a dozen persons filling the great offices of state? Were these persons to be permitted to carry on the government? He asked it in the presence of those who were well acquainted with the laws, whether the privy council was competent to such an examination as that of which the report was laid upon the table? They were now assembled as states of the realm; a quality in which they would not meet except in case of the incapacity of the king. As such, they would take no steps until they had established the fact of incapacity by examination, and put it on their journals. They had no discretion to exercise in the case, and their first step should be to set themselves

selves right in the eye of the law.

The privy council usurped an authority which did not belong to them. But even if their right, to institute the examination was admitted, still their mode of conducting it was objectionable. They had no right to go beyond the mere dry question of fact—Is the king or is he not capable of exercising the royal authority? In doing more, they exceeded their powers. What was this new power in the state that was to prescribe laws to parliament? In what part of the oath of a privy counsellor were they made the guardians of the king's temporal capacity? There was no such duty imposed upon them; no such power given them by the constitution. The fact of the royal incapacity was to be ascertained by themselves, and by that only could their proceedings be justified. He for one would not do homage to these self-created kings, who presumed to set aside the sovereign, and act upon their own authority. He would not now enter into the question, as to whether it would be right or wrong to adjourn, in case the fact were established. Still, however, he would contend for the necessity of that preliminary proceeding. He would wish to have that question determined. He would not go to extreme cases of a day or a fraction thereof, but he would maintain that the government could not be carried on if the royal authority were suspended for any time. For this he had the authority of the venerable person who at that time filled the office of president of the council. That noble person declared it in his place in these words: "This calamity has produced a complete suspension of all the functions of the executive government." If ministers would look into the

foreign office, they would there find upon record an avowal to the same effect from the marquis of Carmarthen, then one of the cabinet. They would find it in these words, in an answer to a dispatch from one of our ministers at a foreign court: "I have received your important letter, but can give you no instructions, on account of his majesty's unfortunate indisposition." Did ministers mean to say that, they might receive his majesty's commands, though parliament could not? Talk of new governments indeed! was there ever so monstrous an assumption of power as this? What, are they, uncontrolled by parliament, to issue their orders to admirals and to generals? nay, more, shall they exclusively have the care of the king's person? He never heard of such a power in the constitution, as that the great officers of state might act independently of the crown. A noble earl had talked of leaving the vessel of the state to be borne along for some time *impulsu remorum*. Never was there a more unfortunate application of a figure. What! when the helm was abandoned, the sails torn, the masts gone by the board, and the vessel in danger of going down, was she in such circumstances to be left to the impulse she had previously received? was no effort to be made to save her, to bring her into port? Was she to be left thus labouring, to what the noble earl called *impulsu remorum*? What! when she was in this calamitous situation—

.... Nonne vides, ut  
Nudum remigio latus,  
Et malus celeri saucius Africo,  
Antennaeque gemant? ac sine funibus  
Vix durare carinae  
Possint imperiosius  
Æquor?

The lord chancellor, after ad-  
verting

verting to what had fallen from the last speaker, observed, that according to the spirit of our laws, the sovereign is king in infancy, in age, in decrepitude. If you take away what the law gives him, you change the name and authority of the king; by the sanction and authority of which name, you can alone rightly act. The king's political capacity, he would again repeat, continues the same in infancy, in sickness, in age, and in decrepitude. No subject can be considered in the same light. In such case the two houses are to use a sound discretion. God forbid that the privy council should declare the king incompetent! Much might be said on a question of this nature, but it never was to be allowed that such a power rested in the privy council.

Several other members spoke on the question; after which their lordships divided on earl Spencer's amendment—

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In the house of commons a similar motion was made by Mr. Perceval, the chancellor of the exchequer, upon the ground that the answers of the physicians held out a pleasing prospect, and, he might say, almost a moral certainty of his majesty's recovery. He admitted that in this motion they were going beyond the precedent in 1788. He did not mean to repre-

sent that the amendment in his majesty's health at present was as great as that which lord Thurlow had then to announce to the lords; but still, in pointing out the difference between the two cases, he thought he had sufficiently shown that there had been no violation of the spirit of the precedent, although the strict letter of it had been departed from. He thought that it was the duty of the house not to confine themselves to the mere letter of that precedent, but to exercise an honest and enlightened discretion upon all the circumstances of the case which was then under their consideration. As for his part, the best discretion which he could apply to the case, prompted him to recommend to the house to adjourn for another period of fourteen days; and he should conclude by moving accordingly, that the house do adjourn to this day fortnight.

Mr. Whitbread had heard before he came down to the house, that it was generally understood that his majesty's ministers intended to move for an adjournment for another fortnight: but until he had heard the report of the physicians read, he did not know how to credit it. Much had been said of the delicacy due to the king; but it must be recollected that delicacy was also due to the constitution. Were his majesty recovered, he would himself say that the delicacy due to him personally was not to supersede the delicacy and respect which was due to the kingly office; and that there was nothing which the house should be more solicitous about, than preventing that from falling into disrepute. He should ask, what was the present situation of the country? Was there a seat of justice, or a fountain

tain of mercy? Could an army be sent on a foreign expedition, or could an army be recalled? Could a culprit receive the royal mercy, could he be legally executed, when the fountain of mercy was closed up? The right hon. gentleman had endeavoured to frighten gentlemen, by talking of the king being dethroned. He should have considered, that to take the crown from the constitution, was still worse than the personal dethronement of a king. This was a situation of the country, in which more than at any other time the executive ought to be in its full vigour. A week at the present time might bear a load under which centuries would have staggered. If the commander in chief in Portugal, or the commander in chief at home, were to die, how could their places be supplied? If ministers should do any thing to deserve the reprehension of parliament, who was to be addressed? As to the dethronement, who would say that George the First and George the Second were dethroned, when in their absence regents were appointed? If ministers might be permitted to do every thing in the royal name, and by the royal authority, the ministers would be themselves the regents. As to the precedent of 1788, lord Thurlow announced in the house of lords, not his majesty's amendment, but his convalescence, and in a short time after his recovery was complete. It had been said, that the cure might be impeded by parliamentary discussion; but the fact was, that long debates had, however, not prevented his recovery on the former occasion. It must be recollected that on the former occasion Mr. Pitt was the minister, who certainly did at that time enjoy the confidence of the house and the country to an uncom-

mon degree; but he would ask the present ministers, did they assume for themselves as great a share in the confidence of the country as Mr. Pitt then enjoyed? It would have been wiser if the parliament of that day had enacted provisions to guard against the recurrence of this exigency. Two instances had, however, since occurred, that of 1801, and that of 1804, in each of which, from personal delicacy to the sovereign, no steps were taken to protect the country in case of a recurrence of a similar case. In the year 1788, his majesty was in the full vigour of health, and afterwards met his parliament, and showed himself publicly to his subjects. He went publicly to the metropolitan church of England, to return thanks for his recovery. After the visitation of 1801, he also appeared publicly, and continued to be accessible to his subjects, until his sight was affected. After that he ceased to be, as before, accessible to his subjects, and therefore must be supposed to have been more in the power of his ministers than at any former period of his life. Under all these circumstances, he could hardly conceive it possible that the right honourable gentleman should be successful in his present motion.

Mr. secretary Yorke spoke in favour of the motion.

Mr. Ponsonby replied. He rejoiced, he said, to find by the report, that there was a high probability of his majesty's ultimate recovery; but he could not forbear to observe, that all the physicians who had expressed the most confident expectation of that recovery, had also stated that they could not form any definitive opinion, from the uncertainty of all medical prognostics, as to the probable time at which such recovery should take place.

place. With this certainty, then, of his majesty's illness, with the uncertainty of the period of recovery, and with the knowledge of the very critical situation of the country, would the house abstain from making the preliminary inquiries, from false notions of delicacy towards his majesty? The right honourable gentleman had certainly admitted, that if no considerable amendment should have taken place after the lapse of a fortnight, the urgency of public affairs would render it necessary to take measures for supplying the deficiency. But why this delay in taking the necessary preliminary measures? It would certainly be disrespectful to the sovereign, and unconstitutional, to attempt to supply the executive without a previous inquiry into the state of his majesty's health; and why not proceed to make that inquiry when it could be made deliberately and fully? If, as the right honourable gentleman had admitted, measures for establishing a regency should be necessary, in case no amendment should take place in his majesty's health in the next fortnight, why should he object to make those previous inquiries, to expedite such measures, especially as in the existing state of Europe no man could tell what pressing emergencies may arise within that period? He should avoid, on that occasion, all question as to who should be regent, though he did not think any doubt could be entertained as to the person; but he would state it as his opinion, that the duty of supplying the defect of the executive, whilst it may please Providence to afflict his majesty with his present malady, devolved upon the two houses of parliament. The right honourable gentleman then briefly recapitulated

the principal heads of his argument, and concluded by stating, that he should oppose the adjournment, as no man could have supposed that a longer adjournment than for a week would have been proposed, whilst a committee would be appointed to examine the physicians in the mean time: he should, therefore, divide the house upon this question; and also upon a question for the appointment of a committee to inquire into the state of his majesty's health, if the house should so far desert its duty to the public, as to agree to the adjournment.

Sir Francis Burdett, agreeing as he did in many of the sentiments expressed by the right honourable gentleman who had just sat down, and differing as he did from that right honourable gentleman as to the right or the power of the two houses of parliament to supply any deficiency in the executive, should not think that he had discharged his duty to his constituents, if he omitted to state the grounds of his concurrence in the former, and of his disagreeing from the latter. He felt all the delicacy of the question; but, from a sense of duty, he must discuss the subject with impartiality towards the people. Whatever he may feel for the sufferings of the king, he could not be insensible to the perils of the country, which had now been for a month without an efficient executive, and it was proposed to continue for a fortnight longer in the same state. It was to him a strange and embarrassing question, who were to supply any deficiency which might take place in the exercise of the functions of the crown. He knew of no precedent for such a case as the present, but the great precedent of 1688; when James II. by his gross and arbitrary viola-

tions of the original contract with the people forfeited his crown—when the throne became vacant—and when the right of filling that vacancy devolved upon the people. He could not allow that any house of commons, still less a house of commons collected together by such means as it was notorious that assembly was, could have any right to supply the deficiency in the functions of the crown. All that had been said respecting delicacy, had to his mind been introduced unfairly, in order to influence the feelings of members on the question in discussion. It was absurd to talk of delicacy upon great public occasions. Delicacy might well suit the conversation of a tea-table; it might be very fit to be entertained towards the other sex; but in private life, when in ordinary transactions delicacy was talked of, it was only another name for roguery; and in state matters the law and the constitution of this country had broken in upon it. Every one knew that several great officers were required to be present at the lying-in of the queen, a circumstance which in private families would be in the last degree indelicate. He hoped he should never hear more of this delicacy. The crown and the person of the king were wholly distinct. The laws of England knew nothing of the personal infirmities of the king. The king, by our constitution, can do no wrong; never dies: and if ever the house were to suffer themselves to be influenced by considerations derived from his personal infirmities upon great questions of state, there would be an end of the constitution. As to the precedent of 1788, it was a precedent to be avoided, not imitated, and founded upon analogy, or without reason. When he found the  
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right hon. gentlemen taking only so much of this precedent as suited their present purpose, he could not give them much credit for their candour, or their motives. As to who should be regent, he would not pretend to dicrate to this part of the nation, or to the nation at large: but he should never lend his sanction to the mischievous practice which had so long existed. Besides, the times had been greatly altered since 1788. Then we were at peace with all the world, now we are at war with nearly the whole world; then France was impotent, now she was nearly omnipotent; then our revenue exceeded our expenditure one million and a half, now our expenditure exceeds our revenue twenty millions; then our debt was not more than three hundred millions, now it is eight hundred millions; then we had recently concluded an advantageous commercial treaty with France, now our commerce is nearly annihilated; then all was quiet, peace, tranquillity, and prosperity; and how different is our situation at present! How, then, could they dare to tell the people, that after a month of anarchy they would desert their duty, and omit to take the necessary measures to save their falling country!

General Matthew, lord Milton, sir T. Turton, and Mr. Wynne spoke on the same side: Mr. Wilberforce and Mr. Fuller were for the adjournment: and on the question, that at its rising the house adjourn to this day fortnight, there were

Ayes - 239 Noes - 129.

Another division took place upon Mr. Ponsonby's motion, to appoint a committee to examine the physicians:

Ayes - 197 Noes - 230.

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On

On the 13th of December it was agreed by both houses, "That a select committee of 21 members be appointed to examine the physicians who have attended his majesty during his illness, touching the state of his health, and that they report the same to the house." An account of this examination will be found in the chapter and volume already referred to. The report of it was laid before the two houses, which afterwards formed themselves into committees to inquire into the state of the nation.

House of commons, Dec. 20. After the house had been called over, the order of the day, for the house resolving itself into a committee of the whole, on the state of the nation, being read—the speaker left the chair.

The chancellor of the exchequer rose, and spoke to the following effect:—"Mr. Lushington, the house, in compliance with the order now read, having resolved itself into a committee of the whole, it becomes my duty to call its attention to the disastrous state in which this nation is plunged, in consequence of the indisposition of our sovereign—an indisposition which is as sincerely lamented as it is unfortunate, and which has excited universal feelings of regret and sorrow. Feeling, as I do, such to be the impression, both of this house and of the country, it is wholly unnecessary on my part to take any course for the purpose of awakening such sensations, or to excite your attention upon the importance of the melancholy subject for the discussion of which we are this night assembled. When we contemplate the extent of that calamity, which in the person of our sovereign has befallen the country—when we view it under all the aggravated circumstances in

which, afflicting such a personage, it must present itself to our consideration, there exists little necessity for an appeal to the common sympathies of our nature. Had one of the humblest of our fellow-beings been visited with such a calamity, though wholly unconnected with any one of us, either by relation, friendship, duty, or dependence, in the view which would at once present itself to our minds, we should feel it as a duty imperative upon us all, to consign him under such circumstances to the protection and guardianship of his most affectionate relatives. If such would be our duty even to the humblest, how would our obligations be increased towards those dearly connected with us! and if with them, how much more does that duty increase, when applied in the present instance—in the instance of our sovereign and king—of him who for more than half a century has been a blessing to his people! who, during his benign reign, has watched with a parental tenderness and regard over the rights and happiness of his subjects—and whose private as well as public virtues have been the universal theme of our praises, and the objects of our admiration! Indeed, when I contemplate his reign, so marked and illustrated, I feel a confidence that, neither in this house, nor in this country, exists that individual who does not sympathize in the distress of his sovereign. But whilst these motives, both private and public in their nature, impel us to feel the great calamity with which we are visited; there are also other reasons, wholly of a public nature, which render it the duty of this house to take the due and constitutional course of guarding the country from any greater aggravation

tion of the calamity. We are now aware that the functions of the executive magistrate are by his indisposition suspended; and we must know that by such suspension the interests of the country are materially impaired. The question for our consideration is, therefore, the propriety of taking the means of supplying the deficiency. We are now, in my conception, precisely in the same situation in which the house was at the close of the year 1788. The proceedings therefore adopted in that case, if the cases shall appear to be similar, point out the propriety of adhering at present to the true constitutional mode of acting, then decided on by the wisdom of parliament; taking advantage, as we have now the opportunity, of all the experience and of those lights which that precedent so fully affords. It is indeed a consolation to think, that though deprived of the authority and talents which the great men who then directed the views of the estates of the realm so fully possessed, we are at this day more capable of fully perceiving, unfettered by the difficulties of that period, what our paramount duties are. The precedent of the year 1788 has, upon that point, left us in full possession of the proper course. There is also this great advantage attaching to us on the present occasion, that since this melancholy question came first under consideration, there has not either in argument or conversation been thrown out by any individual—indeed, there has not been an expression uttered, tending to glance at the right, and at the duty which we are now called upon to discharge. We know how much of embarrassment and of difficulty was created by a contrary conduct on a former occasion. We

are aware of the momentous considerations which the assertion of a certain claim produced at that period—a claim which was most wisely disclaimed by that personage on whose part it was advanced by the individual who introduced it.—There are now other grounds for hope. As far as the discussions have gone on this subject, they have been free from all that acerbity and rancour, which, springing from party heat, characterized, disturbed, and in a certain degree disgraced the proceedings of that day. We have now the advantage of not being impeded by any such interruption; and therefore whatever decision this house shall arrive at, must be received by the country with the greatest satisfaction, from the manner, the temperance and the deliberation which have marked, and will, I trust, continue to mark, the debates upon this important subject. Whatever difference of opinion may exist as to the postponements that have already taken place, we are all now, I conceive, unanimous that no further delay should occur. The question therefore which now arises, must be upon that course to which, in specific propositions, I felt it my duty to direct the attention of the house on a former night. I then offered to your notice three distinct propositions.

“1. That it is the opinion of this house, ‘That his majesty is prevented by indisposition from coming to his parliament, and from attending to public business, and that the personal exercise of the royal authority is thereby for the present interrupted.’

“2. That it is the opinion of this house, ‘That it is the right and duty of the lords spiritual and temporal, and commons, of Great Britain now assembled, and law-



fully, fully and freely representing all the estates of the people of this realm, to provide the means of supplying the defect of the personal exercise of the royal authority, arising from his majesty's said indisposition, in such a manner as the exigency of the case may appear to require.'

"3. Resolved, 'That for this purpose, and for maintaining entire the constitutional authority of the king, it is necessary that the lords spiritual and temporal, and commons, of Great Britain, should determine on the means whereby the royal assent may be given in parliament to such bill as may be passed by the two houses of parliament respecting the exercise of the powers and authorities of the crown, in the name and on the behalf of the king, during the continuance of his majesty's present indisposition.'

"Before I enter upon this latter point—a question upon which, it is presumed, the principal part of this debate will hinge—I shall feel it both just and expedient that I should state generally what my views are of the measure which, in the shape of a bill, it is my intention to recommend to this house. With respect to the first resolution, no difference of opinion can possibly occur: lest any should, it is only necessary to recur to the evidence produced before the privy council, and before the select committee of this house. Every man must see, in these examinations, sufficient proof of the melancholy fact of the king's incompetency. But though as to that fact the evidence is clear, it at the same time affords confident and sanguine hopes of ultimate recovery; and that there exist reasonable hopes, though no limits are defined, of expecting that recovery at no long distance of time. With respect to the second resolution, for

this house proceeding to supply the deficiency in the personal exercise of the royal authority, it has been intimated to me that there is some difference of opinion respecting the wording of that proposition; but from what I have learned, I can have no reason to believe that there exists any disposition to controvert the main principle which that proposition contains. It seems so supported in every part by the precedent of 1788, it is so sanctioned by every deduction which the history of the constitution and the country warrants, and is in fact impeached by nothing, that I shall leave to the objector to state his arguments, wholly abstaining, myself, from any previous discussion of it. I assume it as a principle undenied and undeniable, and therefore shall not anticipate any arguments in objection. I now come to the third and last proposition, which, for the purpose of maintaining entire the authority of the king, proposes that this house should determine on the means of giving the royal assent to a measure for supplying the deficiency in the executive authority. The great and leading principle of this resolution is, that the course of proceeding should be by bill; that course I feel it my duty to recommend to this house. On the other hand it is submitted, and most candidly I confess, that instead of proceeding by bill, which the gentlemen opposite condemn as unconstitutional, it should be by address. In this view, I apprehend the house will feel that the great object on which this night's debate turns, is narrowed to the question, whether the course of our proceedings shall be by bill as I propose, or by address as the gentlemen at the other side recommend. Before I proceed to weigh

weigh the grounds of preference upon these two courses, I feel the propriety, as I previously stated, to lay before the house a general view of what I intend further to propose in execution of this measure. It is in my view that his royal highness the prince of Wales should be appointed to exercise the office of regent, in the name and on the behalf of his majesty, during the continuance of the king's indisposition. That, generally, all the powers of the government should be committed to his hands. That to her majesty the queen should be intrusted the care and guardianship of the king's person. I think it also necessary that due provisions should be made to notify the king's recovery, and chalk out the course of proceeding by which his majesty may be enabled to reassume his functions. These three provisions should have no limit in point of time, except what should arise from the duration of the king's indisposition. But with respect to all the powers of majesty, I do feel that, taking all the circumstances connected with the king's indisposition into consideration, a limit should be placed on the prerogatives of the crown, when in the hands of the regent. It was evident, from the evidence produced before the house, and the state of his majesty's health in his former disorders, that we are to look at no distant period for his recovery, although no specific time was mentioned by his physicians. That the dignity of the executive office could not be impaired by any due limitation arising from such considerations, I most sincerely feel; and therefore I should think that a restriction upon the exercise of these powers in the hands of the regent for twelve months, would be most

advisable, taking care that the limitation should expire during the sitting of parliament, and at least six weeks after it was convened. It would then be open for parliament to reconsider the subject, or, if they did not think the duty necessary, the termination of the restriction would have the advantage of having occurred under the eye and superintendence of the legislature. Upon these grounds, I think that there should be a suspension for the same period of the power of granting any rank or dignity in the peerage, with certain exceptions. Also, that all pensions and offices granted should continue only during the continuance of the regent in office, unless subsequently approved and confirmed by his majesty. And lastly, that to her majesty the queen, with the care of his royal person, should be committed the appointment to the several offices connected with his majesty's household, subject to the consideration of parliament. These are the restrictions which strike me as necessary for the due protection of his majesty's authority; and compose the provisions which, in the shape of a bill, it is my intention on a future occasion to recommend to the adoption of the house. I beg leave now to recall your attention to the distinct question before you—a question which you must now view (whatever may be your opinion as to the propriety of restriction at all, or to the extent the restrictions should be carried,) only as referring to the proper course of proceeding at this moment, whether by bill or address? In considering this subject it will be our first duty, whatever may be our ultimate determination, cautiously to adhere to that principle with which the two houses set out

in 1788, and from which they never for a moment suffered themselves to stray. They kept all along within their distinct view the integrity and existence of the kingly office. We cannot be too cautious in abstaining from every consideration that may lead to any deviation from so constitutional an example. We have upon due investigation found, and shall have to enter upon our journals a record that we have so found, that the functions of the royal authority are interrupted, and not that the royal authority itself is integrally impaired, much less removed; far from it. Throughout this and every subsequent debate upon this question, it will be our duty to remember, that *the throne is not vacant*. The functions of the kingly office have been interrupted, they have been impeded in their exercise; but the possession of the throne and the right of possession remain untouched and inviolate. I affirm that the throne is *filled full*. We are not now to *make a king*, but to take good care that, in providing a remedy against the interruption of the regal functions, we preserve to an *existing* king his reversion to all the rights, privileges, and functions of the regal power, in the same unquestioned, unimpaired possession in which the monarch enjoyed them immediately before the calamity that so unhappily suspended his exercise of them. Whatever, therefore, may be the ingenuity of some honourable gentlemen, in their attempt to draw an over-strained analogy from the conduct of both houses at the time of the Revolution, to regulate our conduct now—however they may labour to convince us that that precedent would authorize an assumption on the part of the estates at present wholly un-

necessary, and which that precedent does not go at all in the present circumstances to warrant,—still am I prepared to contend that the arguments by analogy from such a precedent are inadmissible, inasmuch as the throne was in the one case vacant, and so declared to be, but in the other the full and complete possession of the throne is upon all hands acknowledged. In the first instance, then, inseparably connected with this conviction, and immediately arising out of it, is the sense of one of the most important branches of the duty which has now devolved upon us,—I mean the sacred and imperious duty of providing for the king's ample restoration to his rights, as the sovereign, the moment his recovery shall enable him to resume the discharge of the royal functions. This was another great leading principle in influencing the measures agreed to in 1788. Thus, in proceeding to consider the best means of providing for the defect in the discharge of the executive, they all along considered the throne as *full*, and one of the first objects of their provisions was, to secure to the king the safe, immediate, and inviolable resumption of the kingly powers, upon his recovery. With respect, therefore, to these two important points, we find ourselves furnished with the distinct and explicit opinion and injunction of the two houses of parliament. But it seems that we are again to bear and contend with a preliminary objection, which would certainly be a formidable one, if it could do what it pretends to do, and show the advice to be injudicious, because impracticable. The objection is to the appointing a commission, by the authority of both houses, to affix the great seal to the act for modelling

modelling the regency. This, it seems, is considered by some as an unconstitutional assumption of power on the part of the two houses. Upon what ground could it be so understood? that of entrenching on the royal prerogative—of using the name, where there was not the substance. This argument, like other plausible arguments too hastily adopted, went much further than they who relied upon it seemed to be aware of. It was well known that in that parliament, which (as it was alleged) had assumed unconstitutional powers, the ordinary business proceeded—bills were brought in in the same session, and, after the usual discussion, were either thrown out or forwarded. What opened the parliament in which those bills were discussed? The lords commissioners appointed under the great seal. By whom was the great seal affixed? By the person who had received the command of the two houses, &c. to affix it. If, then, the meeting of parliament was illegal, its subsequent proceedings during a meeting so illegally convened, must have been also illegal. If the summons was illegal, the proceedings were unconstitutional. Do we find that they were objected to, or resisted on this ground? or do we not rather find the reverse of this? Do we not know that after that parliament had been opened by the commissioners appointed under that great seal; that while the regency bill was yet pending, the private bills then introduced were, in the course of the same session, after the recovery of the king, completed and concluded? But when the king was happily restored to the wishes and the government of his people, what, may I ask, was the line of conduct pursued by the executive on the full resumption

of its functions? His majesty by his commission came down to meet his parliament. In the speech with which he then opened his parliament, I would ask, is there to be found any thing that has a tendency to question the validity of the exercise of that power, which affixed the great seal to the bill appointing the commissioners? Did his majesty revoke the powers which had been so exercised? Did he annul the authority which had been so conferred? Did he say to his parliament, 'My prerogative has been infringed, my authority has been abused, my great seal has been usurped, and I protest against such unconstitutional assumption of the functions which belong to me alone?' Was this the language of the monarch?—No! but directly the contrary—so far from disapproving of or annulling the exercise of the royal function, which the state exigencies had rendered necessary, he continued the session, and in doing it referred distinctly to that instrument, by virtue of which that very parliament had been holden during the continuance of his malady."

Here the right honourable gentleman read some extracts from the speech of the lords commissioners to parliament upon the king's recovery, commenting upon them with great ability; anticipating and answering the objections which he supposed would be made by opposition: and he concluded with hoping the house would agree with him in the mode which he thought best calculated, considering the times and the circumstances, to supply the regal authority, and by moving the first resolution; which was agreed to *nem. con.*

The second resolution being then  
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read, was also passed, with the dissenting voice of sir F. Burdett only, who spoke very ably against it. He denied that the resolution stated a fact, when it asserted that house to be a body of representatives "legally, fully, and freely appointed." The precedent of 1788 was formed, and was now pursued, by that faction which had so many years prevailed in the country with so much disadvantage to its best rights and interests, and without any other view that he could discover, except that of retaining their own places and emoluments. Where, if the house freely and fully represented the people, could they feel the difficulty of appealing to the sense of the people? Of such an idea some would say, "This is Jacobinism!" But his Jacobins were lord Coke and Mr. justice Blackstone. Speaking of the law of parliament, lord Coke said, in alluding to former transactions, that we have heard of the *lex et consuetudo parliamenti*; but by what he called novel device, the houses could confer with each other, when parliament could not confer with its constituents. Did gentlemen seriously think that parliament ought not to take the people a little into consideration? Judge Blackstone said, that the constitution had three distinct branches or powers. He had explained its excellencies by showing the independence of these branches. "How dangerous," said the learned judge, "it would be, were peers to interfere in the election of the commons, and exercise the right of taxing the people!" The people were to be protected by the power of the crown against an oligarchy, or a faction of nobles, and they were themselves to be represented by the commons. Judge Blackstone compared the constitu-

tion to a machine moved by three weights; the body not taking the direction of either, but taking the right direction or the *plenum* of the force. Mr. Paine, writing about monarchy, had asked, whether it was a metaphor, a trick, or a cheat? What would the right honourable gentleman say in answer to such questions? Would he tell them, it was useful and necessary? Would he say what are its services? What answer would he make? He showed by *his* conduct at least, that it could be done without. Whether he (the chancellor of the exchequer) proceeded to replace the whole monarchy in all its powers, or limited it, in whatever hands he placed it, (for the honourable baronet would not say there was any right in any individual, since there was no *law* on the subject that gave such a right, and the prince, therefore, might have no more right than any other;)—yet he would affirm, that they, the house of commons, had far less pretensions and claims to the executive government of the country, than the heir apparent to the throne. He did not maintain the right: but taking the expediency of the case, could any thing be more easy than to supply the vacancy in the same manner in which it would be supplied by law in the event of the king's death? Was it not more expedient, and more analogous to the constitution, to place the power there, where by legal course it would in due time go? Was not that better than to go on with a weak and divided government? Could any thing be more likely to cramp and paralyse all the energies of the country than an executive in such a state? If it be true that the kingly office has too much power, control it. If the king had more than was necessary to

to animate exertions and to reward merit, and to repress crimes by punishments, it was as necessary to take it from a king as from a regent. The house had appointed a committee to consider and report of the number of sinecures. Upon the right honourable gentleman's plan, he might as well refer the highest office in the state to that committee. But far different opinions did he (sir Francis) entertain of the use and dignity of the office of the king! He thought that the king ought to be a great and an efficient magistrate. It would be little less than treason to the country to continue as we had done for some time, or refrain from the declaration of his opinion on this most important occasion. What did it signify to the country, then, by what names and distinctions physicians called delirium, insanity, and so forth? Was it, he would ask, fit or safe that such a state of government should go on, vacillating from time to time—ministers sometimes concealing the facts from the public, and at other times unable to conceal them? If a receipt were wanted for making confusion in the country, he never heard of, nor could he imagine any thing better for that purpose, than the scheme of the minister! One of the physicians, it appeared, had thought his majesty fit for transacting public business between the 25th and 27th of October, and another physician thought he was not. Should the safety and the happiness of this country rest upon such lamentable uncertainty? He must say, that he thought that the provision to be made ought to be a permanent provision. He objected to all the resolutions, except the first. That was unfortunately too clearly true. To the second he had stated an in-

surmountable objection, because it contained a false assumption respecting the character and composition of that house. To the third he objected entirely, because he considered it was contrary to the principles of the constitution. The honourable baronet declared his solemn protest against the whole of the proceedings, as miserable shams and pretences, as aiming a mortal stab at the constitution of the country—and making an oligarchical house of commons varnished over with forms, to govern the country. He should therefore sincerely vote against the resolutions.

The chancellor of the exchequer then rose, and moved the third resolution, which was accordingly read by the chairman: and on his putting the question,

Mr. Ponsonby observed, that in all that had fallen from the right honourable gentleman as to the calamity which had brought this subject under discussion, in all that he had said as to the affection of his subjects for him upon whom the calamity pressed most heavily, he entirely concurred. That it must be the wish of all that his majesty should recover, in the plenitude and vigour of his faculties, he also agreed. But in almost every thing else he decidedly differed from the right honourable gentleman. He had said, that the proceedings of the house on this calamitous occasion had been marked by a moderation and gravity very different from the manner in which the business had been conducted in 1788. For his part, he did not thank the right honourable gentleman for the compliment paid to himself and others in that declaration; the design of the right honourable gentleman being to revive those animosities if he could. When the

the right honourable gentleman was disposed to compliment the living, he ought to suffer the failings of the mighty dead, if failings there had been in that instance, to sleep; and such ought to have been his conduct when he spoke of Mr. Pitt and Mr. Fox. The right honourable gentleman had said, that he understood that an acquiescence in the principles of the third resolution had been evinced in 1789; and he now called upon those who had acquiesced in what had then been done, to concur with him in the proceedings which he had submitted to the consideration of the house. He stood there, however, not as the inheritor of any man's principles, but as the assertor of his own. There was no inconsistency in his conduct: he had considered the proceeding in 1788-9 as unconstitutional, and he still thought the same mode of proceeding unconstitutional and improper: and he would now state his reasons for that opinion. The right honourable gentleman regarded the circumstances at the time of the Revolution, as different from the present, and consequently as requiring a different line of conduct. He thought, however, that there was much parity between the cases. What constituted the defect, which they were now called upon to supply? the absence of the kingly power. They had here, indeed, no abdication; but there was an incapacity. The person was absent there—here the mind—and in this consisted the defect which they had to supply. The incapacity of the sovereign being ascertained, the first thing they had to do was to replace the royal authority on the footing on which it ought to stand. But the right honourable gentleman wished to pro-

ceed immediately to legislate, there being only two estates capable of exercising their legal powers for that purpose. He (Mr. Perceval) maintained that the two houses had the command of the great seal; but he had not mentioned where he had read or found this doctrine. Neither lords, nor commons had the command of the great seal. It was the king's seal, and his alone. Who directed the lord chancellor to affix that seal? His majesty, and he only. By the proceeding recommended by the right honourable gentleman, the house would usurp the powers and functions of royalty. The right honourable gentleman said, that the proposition which he submitted was conformable to the principles and practice of the constitution. Now let us see how this proceeding was warranted by principles and precedents.

Here the honourable gentleman argued on the cases which had occurred at the Restoration and the Revolution, in justification of the proposition which he meant to offer to the consideration of the house. It was obvious, if this proposition of the right honourable gentleman were agreed to by the house, it could not be considered in the character of an act of parliament. It would be a mere fiction; or what was worse, a fraud—an imposition on the country; and went to import that his majesty had given to it the royal assent, at a time when it was impossible that he could have given any such assent. It was a monstrous doctrine to maintain, that the house ought to be called on to supply a deficiency, the filling up of which was so essential to the interests of the country, and of the king himself, by this fraud, when there were other modes not subject to any such objection, in which the  
measure

measure might be accomplished,—those, too, having been acted on in the very best periods of our history. The right honourable gentleman (Perceval) desired to know whether, if the two houses were to vote addresses to the prince of Wales, these addresses would not confer on him the power of discharging the functions of the executive government, just as he proposed that power should be conferred by the proposition he had submitted to the house; and whether the address so to be voted by them would not be an act of the house? He answered, Certainly; it would give the same powers; it would be an act of that house; and he meant it should have both those effects. He went along with the right honourable gentleman in saying that the two houses of parliament had the right, and the only right—and, in his opinion, it was also their duty to supply the deficiency in the executive. All that he contended was, that there was a consistent mode of doing this, and that the mode he had now pointed out was this consistent mode. The right honourable gentleman (Perceval), however, said, that by following his way, the house would be enabled to tell his royal highness what were the limitations they wished to impose on him, whereas in his (Mr. Ponsonby's) mode of proceeding, they would have no such opportunity. This he denied utterly. It was just as possible to adjust the limitations afterwards, when the parliament was complete by the revival of the royal functions, as it could be by the defective and unconstitutional act recommended by the right honourable gentleman. When the house should have appointed his royal highness regent,

they surely meant that he should have the power of assembling or dissolving them. Did the right honourable gentleman, however, suspect that he would exercise that power without due discretion? Did the right honourable gentleman suspect, when the house should send up bills which were necessary to be passed, that his royal highness would deny them his assent? If he did not suspect any of these things, what fear was there, though the limitations should not go along with the appointment to the office of regent? Another act that he (Mr. Ponsonby) should propose, besides the address to the prince of Wales, would be, that some proceeding should immediately be taken to give validity to what the house had done while it was not complete. Did the right honourable gentleman suppose that the prince of Wales, or any other person who should be appointed regent, would refuse to comply with the reasonable wishes of the two houses of parliament? He (Mr. Ponsonby) could not believe that the right honourable gentleman could entertain such an idea of a person whom he himself proposed to appoint regent of these kingdoms. He could not conceive so monstrous a proposition. The deficiency in the executive power must be supplied in some manner; and in the present calamity, there was no other source from whence the right to discharge the affairs of the state could be derived, but the two houses of parliament. The question now was, in what manner this deficiency was to be supplied. The right honourable gentleman proposed to follow the course pursued in the year 1789—a course contrary to the constitution, and a fraud on the country. If, in proposing this mode of proceeding,



ceeding, the right honourable gentleman thought, that because one house of commons having acted so wild a part, and one so contrary to the constitution, he was bound to follow it, he must confess that the present was the first occasion on which he recollected to have been told, that because a sensible man, twenty years ago, did a wrong act, therefore that wrong act should now be followed by another of the same kind. What the right honourable gentleman proposed amounted exactly to this. He did not defend the measure. He said he would not argue it. He himself regarded it as a perfect measure, and asked of the house to determine on its merits, without telling them in what those merits consisted. The right honourable gentleman had said, that what should be the limitations was not here the question, as they would come to be discussed in the bill. For his own part, to any restrictions on his royal highness at this time of day, he should highly object. He was come to that time of life seldom attained by kings when they mounted their thrones. If at the age of 48 years he was not fit to be trusted with power, he should be afraid he never would be fit; and if it was necessary for the house to look to every part of his conduct with so suspicious an eye, he should doubt much how far it would not be an act of prudence to make such inquiries as should enable them to take measures for entirely excluding a person so unworthy of trust from the throne. The honourable gentleman concluded by moving,

“That an humble address be presented to his royal highness the prince of Wales, requesting that his royal highness will be pleased to take upon him, during the indis-

position of the king, and no longer, the government of this realm; and administer the same in the name and in the behalf his majesty, under the style and title of Regent of the United Kingdom of Great Britain and Ireland.”

Mr. Canning said, after parliament had waited so long in the hope of his majesty's recovery, he thought that without any further unnecessary delay the royal functions should be conferred on the prince of Wales, and without much limitation or restriction. He however believed, that in the mode by which those powers were to be conferred on his royal highness, it would be much better to follow the path which was traced out in the precedent of 1788. He would not contend that this precedent was absolutely free from all objections; but he saw no evil that could result from following it, and therefore he must vote for proceeding by bill, and against the amendment of the right honourable gentleman.

Lord Temple and lord Jocelyn were for proceeding by bill, but they were against clogging the regent with restrictions. Mr. Adam spoke in defence of Mr. Ponsonby's motion; who was replied to by the attorney-general.

Sir S. Romilly said, it appeared to him that the first resolution contained an absolute contradiction to the method which was proposed in those resolutions that followed. We had already resolved that it was the right and duty of the lords and commons to supply the vacancy in the executive, occasioned by the lamented incapacity of his majesty; and yet we were afterwards to proceed to procure the royal assent to a bill which should pass the two houses, without the possibility of his majesty assenting at all. Under

der such unfortunate circumstances, how can we devise any means of getting the assent of his majesty, but by the most palpable fiction? Was the will of the lords and commons the will of the king, or how could any such construction be given to it? His right honourable friend, in proposing the present resolutions, had relied on one precedent alone: but he had said nothing at all of the two houses of parliament taking upon themselves to legislate; and not only so, but to pass a measure, under the fictitious semblance of its being an act of all the branches of the legislature. He could not look upon that precedent in any other light but as a fraudulent trick, and altogether inconsistent with the open and manly manner in which every act of legislation should be performed. In matters of civil life, what would be said of a set of men joining together and making a contract for another in a state of insanity, and employing a person as his solicitor to affix his seal or his signature to such a deed? Should we not say that such a deed was a gross imposture, and absolutely null and void? The application to the present case was easy and obvious. Undoubtedly there was a distinction between the natural and political capacity of the sovereign. It proceeded from the latter, that in his courts of justice all writs and acts proceeded in his name, though his presence there was by no means necessary. But here we were extending the political capacity of the sovereign to cases of a very different sort; to acts of legislation where either his personal assent, or his assent by commission, was absolutely essential to their validity, and could not be dispensed with. There was not the smallest necessity for a bill in

order to render valid the restrictions or regulations under which the regency was to be held. These might be introduced into an address with perfect propriety, and the very acceptance of that address would be also an acceptance of the conditions by which it was accompanied.

Several other members spoke upon the question; and on the division there were,

Against the amendment 269

For it - - - - - 157

Majority for ministers - 112

The original motion was then agreed to.

On the 21st, the report on the state of the nation being brought up, the resolutions passed on the preceding evening were read; of these, the first was unanimously agreed to. On the second, lord William Russell moved the previous question; which occasioned a very animated debate, in which the wisdom and propriety of the second and third resolutions were fully canvassed. Sir Francis Burdett renewed his arguments against the second resolution, protesting against the right about to be assumed by the two houses.

Mr. Lambe said he was ready to allow every deference to delicacy within the bounds of discretion—he was willing to do it abstractedly as well as individually. It was impossible not to see this desire in the general sympathy of the country—it was impossible not to see the great bulwark raised round the monarch by the universal respect and compassion which he excited. Abstractedly, indeed, every delicacy was due to kings. It was the misfortune of their high station, that every act they did was the source of observation—their lives, their

their errors, their failings, their misfortunes, even their very maladies, were subject to an inquisition. The proceeding by bill he deprecated altogether. As to its having more weight than an address, he confessed himself incapable of conceiving. He could not see how a commission executed by a body could possibly have more efficiency than the act of the body itself whence that commission emanated. The proceeding by bill he thought illegal: but even supposing it was equally legal with that by address, still could not every object be as well attained by the latter? Could not every limitation be as effectually imposed? Could not any provisions be as well engrafted on the address as they were in a former instance on the declaration of rights? He did not wish, constitutionally speaking, to trust to the discretion of any regent, or of any king—it was right to suspect them, not personally, but politically—it was right to watch over them with a vigilance, which, without supposing them unjust, might prevent their being so. To those who would say that the mode of address freed the regent from this suspicion, he would ask, did not the mode by bill rather tend to throw that suspicion upon parliament? Did it not go to say, that the moment the prince came into power he might influence the house, and fritter away the limitations?

The mode by address was adopted at the Revolution, and yet king William did not escape from the limitations. It was true he wished to evade some of them, as in the instance of the triennial act and another; but still in the end he was obliged to assent, and parliament was finally triumphant. The act of the prince or regent in a-

greeing to the address would be voluntary; whereas he might deem the imposition by bill as compulsory. It was better, in his opinion, to trust to the honour of the prince; and on this account, as well as others, he preferred the proceeding by address rather than bill.

Mr. Stephen, in a very pathetic speech, argued in behalf of proceeding by a bill. He was ably answered by Mr. Wynne.

Mr. Wilberforce, upon the fullest consideration he could give the question, remained of the same opinion as formerly. It was the more necessary, though the right was not now claimed, to follow the former precedent, lest a departure from it, in this instance, might lead to an assertion of the right again on the part of some future prince of Wales, if the same calamitous incapacity should unfortunately befall a future sovereign. The value of the precedent was, that it would settle the question; and if they were to depart from it, there was no saying what difficulties and ill consequences might follow. It was of great importance for them to pursue a course which was defined and settled. They must bear in mind, that on this occasion they were legislating for all successive generations. It was therefore the more incumbent upon them to settle finally a question, which, if left open, might be attended hereafter with the most alarming consequences. As to the particular restrictions proposed, he should not think it right to give a hasty opinion, but should reserve what he had to say respecting the subordinate part of the measure, till it should be before the house.

Mr. Grattan, Mr. Yorke, Mr. John Newport, Mr. Elliot, Mr. H. Addington,

dington, and lord Porchester took part in the debate: after which

The chancellor of the exchequer rose, and replied to the leading arguments opposed to the resolutions. He said that he and his colleagues had been unfairly accused of delay, for sinister purposes, in the measure of providing for the present exigency. Whatever delay had been interposed, proceeded from no other motive than the strong hopes, founded in former experience, that his majesty's recovery would be so speedy and complete, as to preclude the necessity of appointing a regent. He had acted upon open and avowed grounds; collecting the sense of parliament from their conduct in 1801 and 1804, at both which periods his majesty was afflicted with a similar malady, without that circumstance appearing to excite any wish in parliament for the appointment of a regent. He always conceived that the house were strongly averse, except upon the most imperious necessity, to agitate a measure, the effect of which must be to suspend the authority of the crown. So soon, however, as he was convinced of the necessity to appoint a regency, he did not hesitate a moment to urge it, and to take such measures as depended on him to produce its adoption. Amongst the principal accusations brought against him upon the ground of this supposed delay was, that he had thereby paralysed all the functions of government civil and military, abroad and at home; and that pending the incapacity of the king, and the non-appointment of a regent to supply his place, no troops could be sent to Portugal, nor elsewhere, nor withdrawn from any foreign station. No commander, it was urged, could be appoint-

ed or superseded—that lord Wellington, or any other general, so soon as informed of the resolution of the house of commons respecting the king's incapacity, might refuse to obey the orders of the king's ministers executing the government—that no commission could be issued for holding a court-martial, or for criminal trials—that no money could be issued from the treasury—nor any one transaction executed in the business of government, without orders under the royal sign manual, which, during his majesty's incapacity, could not be obtained. But could any honourable gentleman on the other side of the house really suppose him and his colleagues such fools, in the important situations they held, as, under such exigency, to hesitate in giving orders to the officer who usually countersigned the orders under the royal signature, to affix *that* signature to such orders as required it, taking upon themselves the responsibility for such acts? Did they suppose that he himself, in the department he had the honour to fill, would sooner risk a mutiny in the army or navy, than use the king's name to order an issue of money from the exchequer to pay them, merely to screen himself from responsibility? Did they imagine that the officers of the exchequer would refuse to obey such orders under his responsibility, although they knew the royal signature was not really affixed? He was confident they would no more refuse to comply with such orders, than the officers of the customs would refuse to obey the orders of the treasury. For his own part, he should think himself bound by the severest responsibility, not to risk a serious injury to the public service, by declining

an act, for which he should not hesitate to look for indemnity to the justice and liberality of parliament, when he should appear to have acted under the pressure of public exigency. In fact, all those cases suggested by gentlemen on the other side of the house were purely imaginary, and utterly unfounded in probability. He considered himself as doubly responsible under existing circumstances. The public money was voted by parliament, and appropriated to particular purposes; and if he failed to apply it to those purposes, he should be justly liable to crimination for a failure in his duty, and all the consequences of that failure. In the just discharge of that duty, he should not hesitate to direct such public acts falling within his department as the public service required; still, however, under the fullest responsibility to parliament hereafter for such conduct, and with the fullest reliance on its justice for indemnity, even when he and his colleagues should no longer hold their stations, and when the deliberations of the house might be swayed by a very different influence; and if his conduct should not appear to deserve indemnity, he should bow with the profoundest deference to the sense of parliament, whatever might be its decision.

Mr. Whitbread, in a speech replete with point and animation, commented upon the expressions, able, bold, and unprecedented, which the chancellor of the exchequer had that night made to the country. Would to God that every member of parliament from England, Ireland and Scotland could have heard it—could have heard a minister of the crown, in the face of parliament, proclaim his possession of the royal attributes, and boldly

triumph in his usurpation! Would Mr. Pitt, in the plenitude of his power, have ventured on such a course? Would he have dared to tell a British house of commons, that in any interruption of the functions of the sovereign, the rights of the king descend to the servant? He would not: and shall it be endured that the chancellor of the exchequer of this day shall invest himself with powers subversive of every constitutional principle?—that he shall assume to himself the control over the public purse, apply the public money when and how he shall think proper, and, upon a pretended responsibility, trample upon that throne which he is sworn to support, which by his very actions he is now grumbling into dust! If he can establish that there existed a full and unavoidable necessity even for this course, though my political adversary, (said Mr. Whitbread) I trust that I have justice and magnanimity enough in my nature to give my sanction to an appeal for his indemnity. But when he talks in the arrogant and assuming tone of this night, I tell him, that when that day of inquiry comes, and come it must, his tone on this night will compel me to view his conduct with a most scrutinizing eye. The courage of the cabinet, as it seems on this night to be more fully exhibited, appears also much concentrated. Perhaps, to temper the temerity of the right honourable gentleman, the counterpoise is to be had among his colleagues, and even in his administration there may be found one individual, who would not venture without the advice of his sovereign to put the great seal to any public document. But we are told that subordinate officers in the exchequer and other branches of

of the state could not refuse the unauthorized mandate of the treasury. The right honourable gentleman may "call spirits from the vasty deep; but will they come?" Have these officers no positive duties to discharge? Have they no oaths of office to restrict them? Are their consciences in possession, or at the control, of the chancellor of the exchequer? Let me advise him not to be too presumptuous. He may find himself deceived. This great minister, who has led us to commercial prosperity and military renown, may, however, possibly find, from the splendour of his career, willing instruments in every department to uphold the power he has wantonly usurped. From the repeated impunity which every violation of our interests has met, we have become so familiar with outrage, that very possibly the minister of the day may be able to effect that which, if Mr. Pitt, with a whole nation at his back, had done in 1788, he would not have been allowed to continue in the direction of our affairs one day longer.

Mr. Whitbread, after a variety of other observations, concluded with assuring the house of his intention, even in the case of his majesty's speedy recovery, to provide the means of guarding against the difficulties which may arise from a relapse, and of saving the public interests from being again impaired by the vile fraud which had been for the last seven weeks practised upon the country.

When the house divided on the second resolution, there were—  
Ayes 98—Noes 15.

The third resolution was carried without a division.

In the house of peers this question was agitated in a cursory way on the 20th, owing to some ques-

tions put by lord Holland respecting the course intended to be pursued by the existing administration. Those questions the earl of Liverpool said it was impossible for him to answer. But although he could not afford his noble friend all the information he required, he would take that opportunity of declaring, that he was not aware that any injury to the public service had as yet resulted from the suspension of the executive power. Ministers had not abstained from doing any acts which the safety or the interests of the country required. With respect to the proceeding by bill or by address, he trusted that he should be able to show, when the question as to the preferable mode of proceeding came before the house, that the proceeding by bill was not merely the most legal and constitutional mode, but that it was the *only* legal and constitutional way of proceeding. If the house set any value upon precedent, if the practices of former parliaments were entitled to any respect, they had no option but to follow the precedent of 1788-9. He should say nothing more upon the subject at present, but conclude with that general statement.

Earl Grosvenor observed, that he should have risen with more satisfaction, if he could have approved of what had been done. But when he reflected, that the melancholy circumstance which occasioned the suspension of the executive government had now continued nearly eight weeks, and that during that time the house had gone no further than the preliminary step, he must deprecate any further delay. With respect to the two modes proposed, that by bill and that by address, he must give the preference to the latter. When this important question was agitated

some years ago, he gave his feeble support to the proceeding by bill, because no injury could have arisen to the country from the temporary suspension of the executive government. But the state of the country was very different at present; circumstances were changed; and that which might have been very proper and justifiable in 1788, may prove highly detrimental to the public welfare at this momentous crisis. For these reasons he would give his vote in support of the most expeditious mode of supplying the deficiency in the executive government. If any restrictions on the power of the regent were necessary, they might be embodied in the address.

His royal highness the duke of Clarence said, that he felt less difficulty in addressing their lordships now, than if he had risen immediately after the noble earl on the opposite bench. He would detain their lordships but with very few words. Great and momentous as the present crisis was, he would now abstain from fully uttering his sentiments upon it. In common with all their lordships, he deeply felt the unhappy calamity which called for the proceeding which the house were about to adopt; but from the particular situation in which he stood, he had a more poignant cause of regret. He could not, however, avoid making one short observation upon what fell from the noble earl, respecting the precedent of 1788. Had he at that time had the honour of a seat among their lordships, his conduct would have been then what it will be on this occasion. He would have voted for the proceeding by address, instead of that by bill. He wished their lordships, in the present instance, to adopt the same line of

conduct with the parliament of that part of the empire which he believed he was the only one of his family that had visited—he meant the parliament of Ireland—and call upon the prince of Wales at once to assume the government of the country. This he conceived to be at once both the most constitutional and the most expeditious mode of supplying the deficiency in the executive government: he was persuaded it was the mode most conducive to the good of the country, and the good of the monarch; for any thing which was injurious to the one, must prove equally so to the other.

After several other noble lords had delivered their opinions, the subject was adjourned to the 27th of December; on which day, soon after the house met,

The earl of Carlisle, before the commencement of the business of the night, wished to draw their lordships' attention to a subject which he considered of very great importance both to that house and to the country. He alluded to a paper which he held in his hand, containing the examination of the physicians attending his majesty, before a committee of that house; and what he wished to draw their lordships' attention to, was the difference which appeared between the evidence of the physicians, and the bulletins of the days to which that evidence referred. Their lordships, actuated by motives the most amiable, had for some time delayed the performance of that great public duty which they owed to the country in the present melancholy exigency, and they had done so under the impression of those cheerful hopes which were held out by his majesty's ministers, of his majesty's timely recovery.

He

He deeply regretted that so many weeks had passed away without any step being taken, and that they were now only beginning to lay the foundation, when, if they had not been led away by what now appeared to have been delusive hopes, the walls might have been nearly or completely raised, and nothing now have remained to do but to put on the roof. He was willing to believe that his majesty's ministers had been under the same delusion as the public; that they themselves had been deceived by the reports of the physicians, and were unacquainted with the real state of his majesty. He could not otherwise believe that they would have ventured to state to the house, on the 15th of November, those cheerful hopes and confident expectations of his majesty's timely recovery, which they did, and under the influence of which the house agreed again to adjourn, instead of proceeding to execute that great public duty which had devolved upon them, and to commence the performance of which would have been evidently immediately necessary, had the real state of his majesty been known. He was induced to make these observations, from reading the evidence of Dr. Willis before their lordships' committee. Dr. Willis, speaking of the state of his majesty on the 6th of November, and on being asked, whether the paroxysm that had taken place was severe? answered—"Extremely severe: his majesty's life was in great peril."

Dr. Heberden also, in his evidence relative to the state of his majesty at that time, on being asked, "Did you consider the symptoms of that paroxysm as being severe?" answered—"They appeared so severe as to give his majesty's

physicians apprehensions for his life."

Dr. sir Henry Hallford likewise, in speaking of the same period, said—"I thought his majesty's life was in some peril."

Such was the evidence of the physicians; and what were the bulletins which at that period were issued for the information of the public? Those of the 6th, 7th, and 8th, were as follows:—

"Windsor Castle, Nov. 6, 1810.

"His majesty has passed the night with very little sleep, and is not better this morning."

"Nov. 6, 1810, 8 o'clock, P.M.

"His majesty has had some sleep, and has appeared a little better throughout this day."

"Nov. 7, 1810.

"His majesty had more sleep last night, and continues fully as well as in any part of yesterday."

"Nov. 7, 1810, 8 o'clock, P.M.

"His majesty is much the same as he was in the morning."

"Nov. 8, 1810.

"His majesty has had a little sleep, and continues nearly in the same state as yesterday."

"Nov. 8, 1810, 8 o'clock, P.M.

"His majesty has had a considerable degree of fever in the course of this day, but has slept since six o'clock, and is now asleep."

Either the bulletins were issued for the real information of the public, or they were of no use, and only tended to mislead and delude. It was not his intention to make any motion upon this subject, and he apologized for taking up so much of their lordships' time, but he thought it a matter of too great importance to be passed over. It was due, he thought, to the physicians, who were men of character and honour, and who were deservedly high in estimation for their skill in



medicine, that some measure should be adopted. He would suggest the propriety of a re-examination of the physicians, in order that they might render clear that which at present certainly appeared contradictory. He merely threw out this suggestion for the consideration of their lordships.

The earl of Liverpool declined to enter into the subject at present, as the noble earl had not made any motion, and as the important business which stood for the order of the day pressed for consideration. He should now move, "that the house resolve itself into a committee on the state of the nation."

The house having resolved itself into a committee, and the resolutions communicated from the commons being read,

The earl of Liverpool rose: "My lords, in rising to move the first resolution, it is also my intention to state the course which it is intended to pursue upon the present melancholy emergency. I am sure it is impossible for me to do justice to those feelings, by which all your lordships are influenced in proceeding to the discharge of the painful duty imposed upon us by the calamity which has befallen a monarch, under whose long and happy reign so many blessings have been realized, and during which a greater degree of happiness and internal tranquillity has been experienced, than was ever felt during a similar period by any country in the world. It is impossible for me adequately to express the painful sensations which I feel, in proceeding to discharge the melancholy duty which has arisen out of the great calamity that we all deplore. The first principle to which I wish to draw your lordships' attention, is, that the throne is full, and that the political

capacity of the king remains entire. This is an essential principle, derived from the very constitution of the monarchy, and without which the most dangerous consequences might ensue. The fact that the personal exercise of the royal authority is interrupted, is one upon which, unfortunately, no difference of opinion can arise, and it is also evident that some measure must be taken to supply that defect. The next principle to which I wish to advert is, that there is no established succession to the regency. I am aware that it is the opinion of some persons that it would be wise to make some provision for the establishment or succession of a regency, in the event of the personal incapacity of the reigning monarch; but to make a prospective enactment of this kind has always been found a question of so much danger and difficulty, that our ancestors have thought it most expedient to abstain from adopting any such measure. They thought it wiser to leave the special emergency of the case to be provided for by a special provision, dictated by the necessity of the time, and lasting no longer than that necessity existed. There are many circumstances indeed, arising out of the various cases of the infancy, the sickness, or the infirmity arising from sickness, or from age in the sovereign, which in my opinion render it a much wiser course to leave the emergency to be specially provided for, under the particular considerations arising out of the particular case, than to enact any prospective measure. I come now, my lords, to the third principle to which I wish to call your lordships' attention,—that no individual has any right to the regency except through parliament. The precedents in our history

History uniformly support this doctrine, and prove that when, from the personal incapacity of the king, a regency was rendered necessary, parliament was invariably considered the power from whence the right to the regency was to be derived. Thus we find that when, on the succession of Henry the Sixth to the crown, who was an infant, the duke of Gloucester claimed the regency, the parliament searched for precedents; and, after a full consideration of the question, decided that he had no right to it except through them, and they appointed him regent under certain restrictions. The precedents in our history are uniformly of this description, with the exception of the case of the duke of York, in the reign of Henry the Sixth, who acted with a view to his claim upon the throne; and that of Richard the Third. The fourth principle to which I wish to call your lordships' attention is, that whenever a regent has been appointed, it has been under certain restrictions. Thus, then, the precedents in our history tend uniformly to prove that no individual has a claim to the regency, except through parliament; and that the regency, when appointed, has been accompanied by restrictions. I come now, my lords, to the mode by which it is proposed to constitute the regency. All are agreed that the individual to be constituted regent ought to be the prince of Wales. The two modes proposed are, by bill or by address. I have before stated that by bill to be the most proper and constitutional mode, and, I must add, the only mode by which the desired object can be effected. The office of regent is unknown to the law. For the courts below to take notice of

the appointment of a regent, there must be some record of his appointment which those courts can legally recognise. An address would be only a record of parliament, but would not be a record which the courts below could recognise. An address may request the exercise of powers already legally vested; but how can the prince of Wales, in consequence of an address, exercise powers which are not legally vested in him? A legislative measure, with the great seal attached to it, must be recognised by the courts below, and will necessarily confer all those powers which it is wished to vest in the regent. The two houses of parliament must act in this instance from the necessity of the case, in directing the great seal to be affixed to a commission for giving the royal assent to such a legislative measure. By that alone can it be recognised in the courts below. The great seal may be illegally affixed to an instrument, but such an act can only be questioned in parliament; the courts below must recognise the instrument; there can be no averment there against the great seal." His lordship, after a speech of considerable length, moved the resolutions sent from the commons. He concluded by saying, "The doctrine which I have maintained this night has been recognised, not only at several antecedent periods of our history, but most clearly and decidedly by the precedent of 1789. Founded in justice and reason, it stands supported by the voice of parliament—it appears arrayed in all the gravity and authority which the most venerable of our institutions can bestow—confirmed and sanctioned by bodies, comprehending all that

is sacred in religion, illustrious in birth, and eminent in character and talent—and finally, it is ratified by the approbation of the third branch of the legislature, whose absence it was intended to supply. I am, therefore, naturally anxious that this great precedent should be placed in its true light, that it should be regarded not as a single example, but as forming another great link in a chain of instances, all tending to uphold the same principles. And it is obvious that, whether the defect of the personal exercise of the royal authority proceed from the weakness of infancy, or originate in the infirmities of manhood, the same principles are equally applicable, equally important to the rights of the people, and the legitimate interests of the monarch.—Thus considering the question, I trust these precedents will long remain, and that their force and authority will be submitted to by posterity.”

Earl Stanhope begged it to be understood, that if he voted for the second resolution, it was not on the grounds stated by the noble lord, but for reasons of a very different nature; he was ready to say that he agreed to the second resolution, which claimed it as the right of the two houses to appoint a regent, because he found no act of parliament which gave the regency to any one in case of the king's illness or incapacity; no one, therefore, had a right to take it, and consequently none but the representatives of the people could supply the deficiency in the executive that was thus occasioned. This was his short and plain reason for agreeing to the second resolution. But, in his opinion, that resolution was incomplete, and he should therefore, before he sat down,

propose an amendment to it in the way of addition. That amendment he should now read to the house, and it was this:

“That the powers of the regent should continue until the lords and commons, on sufficient and satisfactory proof of the fact, shall declare his majesty so completely recovered as to be competent to resume the various and weighty functions of his royal office.” This was negatived without a division.

Lord Holland objected entirely to the second resolution, but was unwilling to enter into any long discussion concerning it. He should content himself, after a very few observations, with moving the previous question upon it; which was put, and negatived without a division.

The third resolution being read,

Lord Holland rose, and made a most luminous reply to all the arguments advanced by the earl of Liverpool. He combated likewise the doctrines and precedents relied upon by the noble earl, and said, “At the Revolution, a period to which I can never look but with that reverence and respect due to the sense of those blessings we have derived from the exertions of the illustrious men who took a lead at that great era—on that occasion our ancestors proceeded in the line most advantageous and convenient, which was both recommended by the proceedings and precedents of our parliamentary history, and the analogy of our laws. They addressed the prince of Orange at once. ‘But,’ says the noble earl, ‘the case of the Revolution does not now apply, inasmuch as the throne was at that period declared vacant.’ Where has the noble earl learned the history of those times? Does he

he not know that the address was agreed to by the estates of the realm, before the question of vacancy was ever even discussed; that the prince of Orange had actually begun to administer the functions of the government before the vacancy of the throne was declared? The noble earl must indeed trust much to our want of knowledge or of diligence, when he can fancy that your lordships can be deluded by an objection so refuted by the very events of that period; when every one of your lordships is aware that at the time the address was voted, the question of abdication was kept out of sight,—and for this reason, that on that very question of vacancy a considerable contrariety of opinion was known to prevail. But if it should be granted to me that against an address there exist only the same objections as apply to the proceeding by bill, surely then it becomes the duty of your lordships to take the course most respectful and equally advantageous. Let us act as our ancestors did towards our gracious deliverer King William, in an open and undisguised manner. Why not, in our address, do as they did, namely, state the provisions upon which we address him, and the expectations we form of his future conduct? Of all modes, that by bill I pronounce to be most odious and disgusting to the royal personage; and as to the value of it, let us reflect upon where the violation of its provisions would ultimately rest. If a prince of Wales, whom you agree in some way to constitute regent, be a personage of a generous and noble nature, address is the mode most compatible with your sentiments of his high character, while it best corresponds with the dignity of his station. If, on the other hand, he

be of a description totally different, the object of suspicion and disregard—an individual whom no engagements can bind—would he not have the power of dissolving the parliament, of adding sooner or later to your lordships' numbers, and ultimately of bringing to punishment those who had the temerity to put the great seal to an act sanctioned by only two branches of the legislature? Now, my lords, it remains to advert to the precedent of 1788—to which so much allusion has been made, and on which so much stress has been fixed, in order to decide your lordships as to the propriety of a similar proceeding in the present emergency, I contend, however, that it is not a constitutional precedent, because such a precedent cannot rest upon incomplete proceeding. It is not reconcilable with those which the wisdom of our ancestors recognised. And, my lords, when we appeal to the wisdom of those who have preceded us, it is not from any imaginary belief, that because they have lived three or four hundred years before us, they are entitled to our implicit confidence; that we their descendants are in a progressive state of degeneracy. Such a speculation may suit with the classical thought—

*‘Nos nequiores, mox daturos  
Progeniem vitiosiorē;’*

but ill accords with constitutional doctrine. When we appeal to the precedents of former times, it is because we have the authority of the persons who were contemporaneous with its adoption, and supported it, together with the experience which posterity have had of its advantages. Trying the precedent of 1788 by that definition, and it must fail—it has only the autho-

rity of those who recommended it. It has the authority of lords Camden, Thurlow, and Mr. Pitt. Of the great men who resisted that very transaction for reasons which your lordships can easily appreciate, I will not trust myself with the recital. In 1788 you were at peace:—had there existed at that moment the very important interests now pressing upon this country, I am persuaded, notwithstanding the height of political animosity at that period, no such length of time would have been spent in its discussion. Yet with our knowledge of the crisis in which we stand—with the variety of public duties which force themselves upon our consideration, we have suffered a period of double the extent to that admitted by our ancestors to pass without having proceeded to do that which constitutes only the groundwork of our proceeding. I conjure you, my lords, exhausted as I am, to consult, this night, what is due to the interests of the monarchy—to your own dignity—and to the critical state of the public concerns. If every man but examine his heart, he must feel, that if on the first and second adjournments he was in possession of those facts with which we are now acquainted, it would be impossible for us to have allowed the delay that has been so studiously sought. It is impossible but that your lordships must feel that we have been deceived and entrapped by the delusive expectations held out to us.—A time for the most deep scrutiny of all these proceedings must quickly arrive. The facts with which we are acquainted, at length compel us to the duty. It is now stated on evidence, taken upon oath before your lordships, that there have been periods when his majesty was

labouring under that infirmity which subjects the human mind to the ascendancy of others, and yet the royal assent was given in this house, and many other equally important functions of the sovereign exercised in his name. If that information had been in our possession weeks ago, would it be possible for us to have assented to successive postponements? Is it possible that, with that knowledge now, we are not impressed with the necessity of adopting means to prevent a recurrence of such a state of things? It is indeed to the discredit of former administrations, that this remedy has not been heretofore provided. As a humble member of the late one, I take shame to myself that no measures were taken against the recurrence of such an awful exigency, and to prevent the country from being, in the midst of its dangers and difficulties, cut short, as it were, of all legal authority. This duty, delicate as it is, my lords, must be done; and the consequences of any dereliction must be on your lordships and the other house of parliament. I have to move, as an amendment to the third resolution, that after the word ‘resolved,’ the following words be substituted:—

“That his royal highness the prince of Wales, being of mature age, be requested to take upon himself the exercise of the powers and authorities of the crown, in the name and on the behalf of the king, during the continuance of his majesty’s present indisposition, and no longer.

“That an address, founded on this resolution, be presented to his royal highness the prince of Wales, requesting him to take upon himself the government aforesaid; and that it be at the same time, and in the same

same manner, communicated to his royal highness the prince of Wales, that it is further the opinion of this committee, that it will be expedient to abstain from the exercise of all such powers as the immediate exigencies of the state shall not call into action, until parliament shall have passed a bill or bills for the future care of his majesty's royal person during his majesty's present indisposition, and the securing to his majesty, whenever it shall please Divine Providence to restore his health, the resumption of his royal authority.' "

The duke of Norfolk spoke on the same side. After which,

The duke of Sussex:—"My lords, I rise not merely to approve of the amendment, but likewise to caution your lordships to listen with suspicion to any suggestion coming from that side of the house, upon a matter of so high importance, as to be equalled only by the magnitude of the calamity with which we are visited, and which gives rise to this momentous discussion.—Upwards of eight weeks have now elapsed, during which immense period, either the magistracy of royalty has been suspended, or the functions of that authority have been assumed by a committee of persons who have no right to exercise them.

"My lords, if I understand any thing of the constitution of my country, the ministers of the sovereign are a set of men whom the king calls to his councils, and therefore are they styled his confidential servants. They are to take the pleasure of their sovereign, to advise him upon all matters wherein the welfare and interests of his people are concerned, to the best of their knowledge and judgement, for which they are responsible to par-

liament. In consequence of their representations, his majesty commands them how to act; and for the execution of these royal commands, they are equally amenable to the grand tribunal of the empire.

"Now then, my lords, are we to allow ourselves to be persuaded, dare those ministers assert, that they have acted as they would have advised their royal master, whom they have not seen for these last eight weeks, with whom they have had no personal communication, who has no free will of his own, and who is separated from all the tenderest ties of nature? My lords, if these late courageous ministers have acted, they have usurped a power which they have no right to exercise. If they have been frightened—if *they have hesitated*—if *they have stumbled*, and not acted, why then, my lords, they are equally treasonable for allowing the magistracy of royalty to be suspended for such a length of time; which is a situation the constitution can never know, and, of course, can never acknowledge. It is a shock the most dreadful, the most deadly, the constitution has ever received since the period of the Revolution.

"My lords, the sovereign is a sole corporation; he never dies; he enjoys a political immortality. In attempting, therefore, the destruction of this grand constitutional principle, these late ministers of his majesty have committed a regicide act against the magistracy of royalty.

"We have been led into an apathy for these last eight weeks. We have been cheered, amused, and disappointed, with the welcome but unfortunately fallacious reports of the speedy recovery of our beloved sovereign. We have been unmanned, my lords, by their work-

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ing upon our feelings. My lords, I feel as much on this calamitous subject as any noble lord in this house, nay, with the utmost sincerity and truth, I may add that I feel more, and equally with every one of my relations here present, with whom only on a feeling of this nature I contend for a rivalry of affection and dutiful attachment towards our sovereign and father, convinced that such an amiable and amicable contest, of itself, will forge the union of our family closer, and which will be so forcibly evinced by the division of this night.

"But, my lords, my feelings must not get the better of my reason, nor can I separate for a moment the welfare of the constitution from the welfare of the king. They are so closely united, and so intimately connected, that whatever concerns the one, affects the other.

"It is to you, my lords, I look for support on this momentous occasion; for, if you have a right (and an undoubted right you have) to maintain your laws, and preserve the constitution against the attempts of any ministerial faction to break through the limitations of the royal power,—so are you equally called upon, and I do call upon you, to preserve sacred, and prevent any encroachments on the rights and prerogatives of the crown by a self-assuming committee of men; for, in the security of those rights and prerogatives, the interests of the people are as vitally concerned as the welfare of your lordships. This is the actual case, my lords; for, by the conduct these ministers have all along observed, they seem to me to have made a shield of the sovereign, instead of being the constitutional shield of their royal master.

"They seem to me, my lords, as

if they were endeavouring to take advantage of the conjuncture to depress the crown, to render it as much precarious and elective as they can, and to raise the power of themselves upon the ruins of monarchy. If the estates proceed by bill, they assume to legislate without the intervention of the royal authority; which is a violation of the constitution. Besides, if they do proceed by a pretended act of the legislature, they claim to elect the person who for a time shall exercise the magistracy of royalty; and if it is admitted that the two houses may thus elect the person who shall for a time exercise the magistracy of royalty, it will be difficult to resist that claim afterwards, at a future period, to elect a person who shall permanently exercise that royal authority. But, my lords, the engagement and pact of society, which generally goes by the name of the constitution, forbids such invasion and surrender.

"My lords, I hear of restrictions in the regency. I say, my lords, these restrictions cannot, must not, be. If you feel the necessity of a regent, he must have full powers, and not be the very mummy or mockery of royalty; which is the system ministers are anxious to adopt. He must be, my lords, an efficient magistrate, with those prerogatives which the common law of England assigns to a king, and which the people of the united kingdoms have a right to demand. The law has frequently provided a remedy of a regency for the infancy of our kings. So if a king should fall into such an unfortunate situation as assimilates him to that position, then the estates of the realm may upon the parity of the case seek the remedy provided for an infant, and lodge the power in a regent.

regent. And as, in the weakness of infancy, a prince regent has always, in law, had the same power with the king, who has not, or from misfortunes cannot have a will, therefore the regent's will is the same as the king's will, and consequently the power ought, and must be the same—but with this security, that in the exercise of his important functions, the right of the sovereign is owned by the regent to remain in the king, and that he becomes the crown guardian of those rights.

"My lords, I have delivered these opinions of mine, from the most conscientious motives of dutiful affection and attachment to my sovereign and father, from sentiments of the sincerest and most ardent devotion to the constitution of my country.

"Feeling as I do at this moment, my lords, I cannot conclude otherwise than by imploring your lordships to pay your most serious attention to a subject, in which the vital parts of our constitution are concerned, and in quoting the words of a late learned lord who filled the woolsack at the former and similar momentous period of 1788—'May God forget me, if I forget my king!'—and to which pious and fervent ejaculation I must further add with equal devotion—May God forget me, if I forget the constitution of this country!—that constitution, which placed my family upon the throne of these realms; that constitution, which has been long our pride, and the envy of all surrounding nations, and for the want of which blessing they have all been confounded into one horrible mass of anarchy, ruin, and despair, while we stand secure of revolutions, firm as a rock; as a great beacon of civil, constitu-

tional, and religious liberty, in the midst of a subjugated and desolated world; that constitution for which my family have pledged themselves to live and die."

Lord Mulgrave was for the original motion.

The duke of York made an able speech in favour of the amendment. He said, "No individual can feel more than I do, my lords, the critical situation in which this country is placed, by a calamity which none can more seriously deplore. Serious as the difficulties appeared upon a former occasion, they are greatly increased upon the present, by the pressure of the times, and by the arduous yet proud struggle which this country is supporting, not solely for its own honour and independence, but for that of the only people on the continent which scorns to submit to tyranny and oppression. Ours is a choice of difficulties, my lords, and imperious necessity alone can warrant the steps we are about to take.

"But, my lords, I object to the mode and principle upon which it is proposed to carry the object under discussion into effect, as being, in my opinion, unconstitutional, derogatory to the dignity of the crown, and subversive of those rights which, if they are indirectly infringed in the person of the king's substitute, will no longer be in the same degree secure from direct attack.

"I deny the authority, the validity of the principle by which two estates of the realm can substitute a phantom for the prescribed reality, and can assume to themselves a power of establishing an act for which, by the principles and the acknowledged forms of the constitution, the sanction of the third, still existing,



existing, although actually dormant, is particularly required; and I therefore adhere to that mode which is not liable to the same objection, I mean an address; accompanied by resolutions, if such are considered to be necessary, which may have passed, and which, being accepted by the regent, will not be less binding upon him, or might at any rate be made so by a subsequent act, when the third branch of the legislature has been restored to activity."

Lord Maira and the marquis of Lansdowne spoke on the same side. The earl of Buckinghamshire was for the original motion.

Lord Grenville, after expressing his surprise that the legal adviser of the crown (alluding to the lord chancellor) had sat silent, instead of stating the grounds of the resolution, declared, that notwithstanding what had been said by his friends around him, the full conviction of his mind was in favour of the proceeding by bill. If, however, he should attempt to defend the conduct of ministers, he must undertake a difficult task indeed; for he must then contend that it was consistent with their obligations to come to parliament and to use such language as they had done, to deceive their lordships, to desert their duty, to turn their backs upon their sovereign and their country, in the situation in which they were now compelled to admit the nation to be placed:—if he could say with his noble friend on the cross bench (Buckinghamshire), that procrastination was meritorious, he might have something to urge in their favour; but he believed that his noble friend could hardly find any thing so difficult, as to maintain with success, that procrastination in providing the country with a go-

vernment under circumstances like the present, was meritorious. The civilized world, they said, looked to Great Britain, and especially that nation which alone, of all the states of the continent, afforded the smallest hope of the preservation of its independence; and was this a time for Great Britain to remain one moment longer than was necessary, in this calamitous situation? If then he supported the proposition, it was not because he approved of the conduct of ministers; on the contrary, he had the deepest sense of its criminality. But notwithstanding the seductive eloquence of his noble friend (Holland), he still remained of his former opinion, and thought a bill far preferable to the mode of proceeding by address.

Having entered much at large into the reasons for the vote which he should give; he said he did not pretend to know in how many instances ministers had trampled on the monarchy and the constitution; he spoke of what he had heard, and it was possible that others of a still graver nature, and involving still more serious consequences, might come to light. What if it should appear that they had assumed the custody of the king's person? if, after stating, and justly stating, that the prince of Wales was not the person to whom, legally speaking, the care of the king's person ought to be confided, they had taken that care upon themselves? What must be the feelings of parliament and of the country, if this should have been done, not in compliance with the wishes of the royal family, but against them? and if it should appear that these uncontrolled sovereigns, who would impose restrictions on the regent, that regent being the heir-apparent to

to the throne, have taken from the royal family that which is the established right of every family in the kingdom, the care and custody of their relatives previous to the interference of the court of chancery?

Through that court, the select asylum provided by the constitution for the protection of persons labouring under mental infirmity, all classes of his majesty's subjects were in a state of security; and it was just that, whenever his majesty was visited with so severe an affliction, parliament should be to him a court of chancery, and should extend to his royal person a reciprocal protection. Before provision was however made by parliament for this purpose, there could be no doubt in any man's mind, that the guardianship of his majesty belonged of right to his nearest and dearest relatives. Ministers might be ready to say that they would trust to their responsibility; and indeed it was a great and awful responsibility; but the laws of the country were not to be systematically violated upon pretence of that responsibility. The house was bound to interfere and prevent it. Had they forgotten that the disposal of the military force was among the most momentous and sacred rights of the executive? that it had been once the subject of contention between the crown and parliament? This prerogative, granted with so much difficulty and hesitation, of such vital importance to the safety and welfare of the state, ministers had dared to usurp and exercise, in equal contempt of what was due to the throne and to the kingdom. There was another circumstance in which the peculiar privileges of parliament were directly invaded: he alluded to the subject of taxation. The king him-

self had no power of levying or remitting duties without consent of parliament. Did those men opposite to him understand the laws of their country, he meant laws of their own making, in their late arrangements respecting the distillery bill? Did they in the plenitude of their royal authority conceive that the introduction of the name of parliament was a sufficient sanction to an act which could only be legally done by its express authority? If the distillers, trusting to this agreement between them and the government, conduct their speculations and affairs accordingly, in what situation must parliament be placed? Either it must be compelled to legalize and sanction this unauthorized proceeding of ministers, or it will inflict incalculable distress on a great number of individuals. What would the house be disposed to say, if at that very moment those ministers were considering whether or not they should put the privy seal to an act which is to give them a million and a half of money? He did not know whether this was done; but if done, and not pursued by the vengeance of parliament, he would say that the character of parliament was gone, that it would merit the reward of general indignation. He stated as a positive fact, that the ministers had had it in contemplation to apply to parliament for authority for this purpose; but, afraid that this application might be unsuccessful, had either done it or determined to do it clandestinely.

The lord chancellor said, that he had sat in parliament a member of the other house, in the years 1788-9, and had then supported the doctrines still defended by the noble lord (Grenville). After the precedent established at that period, he

he could feel no doubt and no reluctance as to the course prescribed to him on the present occasion, or to execute the duties which it imposed. Two opinions had been at that time entertained, both of a very opposite nature, and both supported by great authority. That the prince of Wales ought to be sole regent, was then, as it is now, a sentiment in which all parties in parliament concurred. He used the term parliament; for, notwithstanding all that had been said as to their being nothing more than a convention of the estates, it was his opinion that they were decidedly a parliament. They had been prorogued under that title by his majesty, who had directed them to reassemble at a future day. They had so reassembled under this title, and in obedience to that command. — In the year 1788, some conceived, as on the present occasion, that the proceeding by address was the preferable mode, while others rather approved of a bill in the first instance. The true doctrine of the constitution, the distinction between the politic and natural capacity of the sovereign, was then ably supported by many distinguished lawyers who now slept in the aisles and sepulchres of mortality, and who, if alive, would now maintain what then was the firm conviction of their minds. Alluding to the precedent of the Revolution, his lordship stated the difference between declaring the throne vacant, and the appointing a person to fill up any temporary interruption of the royal authority. The nation yet looked anxiously to the period when his majesty should be able to resume the royal functions: they had the experience of half a century, that he had nothing so much at heart as the interests of his peo-

ple; and that he could do nothing contrary to that people's interests. With respect to the great seal, he agreed with a noble lord; who stated that it was not the silversmith or engraver who made that instrument, that could give it authority; but that it received that authority from the king and his council. With respect to the accusation which had been brought forward against him; of attempting to conceal from the nation the state of his majesty's health, he appealed to the house if the language he had used on the first night on which he addressed them on that subject, was not completely borne out by the evidence which had been laid before them. He hoped it would be found that he had acted with all the caution and deliberation which an affair of so much moment demanded, and that he had neither over-stated nor under-rated what it was his duty to state to their lordships. He could freely take upon him to say, that to the best of his judgement he had discharged his duty on legal and constitutional grounds. Surely it was necessary to proceed with great caution on an emergency like the present. They could easily get ten men to fill their stations; but who could fill the office of our sovereign lord the king? "My lords," said his lordship, "there is not a Jacobin in this country who will not on the present occasion pardon your error. We are told, that we are arrogant men—that we are usurpers—Do you mean to say that his majesty shall have this delay, and yet that the functions of government shall not go on?" Much had indeed been said by a noble baron (lord Grenville) in accusation of the conduct of the ministry. For his part, he would not condescend to notice what

what was stated merely from loose and indefinite reports in circulation. He hoped the country would give the ministry credit for acting with the very best intentions at a most difficult crisis. "God help the man," said his lordship, "who has an eye to our situations! We are told that we have no talents—that we have no judgement—that we are unfit to be intrusted with the affairs of the nation." He hoped their lordships would first look back to those whom they should admire, before they passed censure on the conduct of the present ministry. For his part, the great seal was intrusted to him by his majesty, and he would not therefore give it up till he knew that some one was legally appointed to receive it out of his hands.

Lord Lauderdale thought there was an essential difference between the two modes: in the way by bill, the two houses of parliament, without the intervention of a third person, took upon themselves to exercise one of the royal functions; whereas in the way of address there was no such direct assumption; a third party was made to interpose between the two houses and such an assumption, and the regent having in himself the power of assenting or denying, the integrity of the monarchy was thereby preserved. The question between both ways of proceeding was, had the two houses the power of putting the great seal to an act of parliament? The noble and learned lord on the woolsack had said, that he thought the precedent of 1788 conclusive upon the question of bill or address; but what was the necessity?—To enable the executive to act—not to act for the executive. He should put a case to their lord-

ships:—If he had a right to present to a living, he as patron might, on a vacancy, present a clergyman to the living; but did that right of presentation give him the right of going himself into the living, ascending the pulpit, and discharging the functions of a clergyman?—Neither did the law of parliament, which was to be found in the usage of parliament, authorize the two houses to assume the exercise of the functions of the kingly power. The case already alluded to was tried before the twelve judges of the land, in Serjeants' Inn: their opinion of that case, respecting the *certiorari*, was to be found in Plowden, and proved that in all cases, to give seals or signets legal efficacy, they must be the act of the kingly power. He would conclude with one observation, that if there was one act above all others which required the personal exercise of the king's authority, it was that of giving the royal assent to acts of parliament. He thought that the enacting of restrictions to any extent would be an act of traitorism to the country; it would indicate a want of feeling on the part of the two houses, towards the wishes of the people, perhaps unexampled. The noble lord had talked of the voice of the people being with them as to the delay which had taken place; he was confident that if the two houses passed any restrictions, the voice of the people would be loud throughout the country against them.

The house divided on the amendment,

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## CHAPTER II.

*Debate in the House of Commons on the Chancellor of the Exchequer's Resolutions—the same Subject continued—Conversations respecting the Issue of Money—Debate in the House of Lords on Mr. Perceval's Resolutions—Debate in the House of Commons on the Issue of Money—The same Subject discussed in the House of Lords—Committees appointed to wait on the Prince of Wales and the Queen—Motions respecting the affixing the Great Seal—Error corrected—Conversation concerning the Execution of Cardosa—Committee appointed to examine the King's Privy Purse—Discussions on the Regency Bill.*

WE must devote another chapter to the subject of his majesty's illness and the regency, which occasioned very long and animated debates in both houses. On the 31st of December, after a conference with the lords, who notified their agreement to the resolutions which had been communicated to them on the 22d, the house of commons resolved itself into a committee of the whole house, on the state of the nation; upon which

The chancellor of the exchequer rose and stated, that the resolutions declaring the king's incapacity to exercise the royal functions, the right and duty of both houses to provide for the deficiency, and the mode of supplying that deficiency by means of a bill, having been agreed to by the lords, it now remained for the commons to consider of the measures that were proper to be adopted to supply the defect in the executive government. On a former occasion, in stating his view of this important subject to the house, he mentioned that it was his intention to follow, as nearly as circumstances would allow, the proceedings that were adopted in 1788. He then stated, that it would be his duty to submit a proposition to the house, calling upon his royal highness the prince of Wales

to take upon him the exercise of the royal authority, subject to certain restrictions in the use of it, and which restrictions it was intended should be limited in point of duration. That duty he now rose to discharge. The restrictions he had to propose were few in number. He would propose in the first place, that the regent should not have the power of creating peers; in the second, that he should be debarred from granting places or pensions for life; and the third restriction would apply to making provision for the custody of his majesty's person, which he would propose should be confided to the queen, and a council nominated to assist her. He would now, with the leave of the committee, read the first of the series of resolutions he intended to propose; which he did as follows:—

“Resolved, That for the purpose of providing for the exercise of the royal authority during the continuance of his majesty's illness, in such manner, and to such extent, as the present circumstances and the urgent concerns of the nation appear to require, it is expedient that his royal highness the prince of Wales, being resident within the realm, shall be empowered to exercise and administer the royal authority, according to the laws and consti-

constitution of Great Britain, in the name and on behalf of his majesty, and under the style and title of Regent of the kingdom; and to use, execute, and perform, in the name and on the behalf of his majesty, all authorities, prerogatives, acts of government, and administration of the same, that belong to the king of this realm to use, execute, and perform, according to the law thereof, subject to such limitations and exceptions as shall be provided."

In laying before the committee this or any other resolution, it would be desirable to separate as far as possible those points upon which a material or indeed any difference of opinion were likely to arise, from those upon which there would probably be an unanimity. He presumed that no difference of opinion could exist respecting the propriety of conferring the regency upon the prince of Wales; nor upon this other point, that it would not be advisable that, in the exercise of the powers so conferred, his royal highness should have associated with him any persons in the nature of a permanent council. Upon these two points no difference of opinion, he presumed, was likely to arise. The points upon which such unanimity might not probably prevail, and that were likely to give rise to debate, those relating to restrictions, called for the deepest attention. It would be right to ascertain whether any restrictions were necessary; what the nature of those restrictions should be; and, lastly, to what period they were to be continued. With respect to the first point, he wished the committee to keep in mind the nature of the duty they were called on to discharge on the present occasion. They were not called upon to sup-

ply a vacancy in the throne, but they were called upon to supply a temporary suspension of the royal authority; which suspension there was every reason to hope, both from the opinion of eminent medical persons and the experience of similar instances of the royal indisposition, would not be protracted to a long period, but might shortly be put an end to by his majesty's restoration to the full exercise of his faculties. The committee had two very important objects to obtain; one, to provide for the security of the crown; the other, to provide an efficient government for the direction of the civil and military affairs of the country. There was another object, also, which it would be their duty to keep in view, namely, to remove every possible obstacle to the restoration of his majesty to the full exercise of the regal authority, whenever it should please Providence to establish his recovery. They were not only to provide for the effectual resumption of the royal functions, but to guard also against the creation of any obstacles to prevent the exercise of those functions, when the king should resume his authority. They should endeavour to secure both these objects; and if one of them should be found inconsistent with the other, they should maturely weigh their respective advantages and disadvantages, in order that they might be able to adopt that which was likely to be most beneficial, or at least less injurious to the interests of the state. In the former discussion it was maintained by some gentlemen on the opposite side, that the energies of the executive government would be diminished by any even the smallest restriction. This assertion was connected with the second point of the

statement, namely, the providing a regency for twelve months and the fraction of time he had mentioned; within which time there was the strongest probability his majesty might be restored to the full possession of his faculties, and for whom Providence might have in store many happy years of sovereignty. The restriction he intended to propose could not diminish the power of the regent for more than a twelvemonth; but any departure from it might diminish the power of the executive government for a much longer period. The duty which devolved upon the committee arose out of the necessity of the case. They had no right or authority to do any thing that they did not conceive to be necessary. They should therefore look to the nature of the necessity, and not go beyond it.

In discussing the propositions which he should have the honour of submitting to them, the committee would do well to act upon general considerations. This important subject was not to be settled upon principles of confidence or personal character. They should not look to the exalted situation or the numerous excellent qualities of the illustrious person who was to be invited to assume the office of regent. They were to put the prince of Wales entirely out of their consideration; they were to reflect how unwise and imprudent it would be, to found a precedent upon the merits of a particular individual, and not upon a sound and permanent constitutional foundation. In the history of this country, he believed there were very few instances, or rather there was hardly one, of a regency, in which there were not some restrictions upon the power so conferred. Those restrictions were not considered, as it was now said, an

insult to the person appointed to the regency, a degradation to the monarchy, or an injury to the constitution.—Having first decided upon the general principle of the necessity of some restrictions, the house would have to decide whether particular restrictions were necessary. Here the right honourable gentleman entered into an elaborate defence of the several propositions to be submitted to the house: and among other reasons he said, it had been suggested that the recovery of the king, after so many different attacks as he had had of his present unfortunate disorder, would become more doubtful, and that the people might be less inclined to believe it: therefore, supposing that to be the case, and that the people would be so slow to believe, might not the regent also be slow to believe, and have greater doubts on his mind as to the reality of the king's recovery? The house would see, then, that they ought to be guarded, when they were transferring all the powers of his majesty to a regent, in fixing some kind of restriction which might prevent those powers from being misused. so that, in case of his majesty's recovery in a short time, they might be restored to him as entire as possible.

With this view, it seemed to him, that, at a time when the absolute necessity of the case required that powers should be given so highly important as those with which the regent must be invested, it became peculiarly the duty of parliament to take especial care the regent should not be able to misuse those powers; and particularly where the regent is the person that is to succeed to the crown, the utmost care should be taken to show plainly that the power is not the regent's,  
but

but the king's; for whom he holds it in trust. He was of opinion that the regent, with respect to all foreign relations, should be made as strong as possible; that he should have the free use of all those prerogatives which would enable him to carry on and prosecute the war with vigour, and as much as possible to distress our enemies: but, with respect to the internal transactions of the empire, he thought great caution should be used in giving him any powers which might be misused, as that of granting pensions certainly might. Having thus opened to the house the nature of the plan he meant to pursue respecting the restrictions, he would not then trespass longer on the time of the house, but would proceed to read the remaining resolutions:

“Resolved, That the power so to be given, to his royal highness the prince of Wales shall not extend to the granting of any rank or dignity of the peerage of the realm to any person whatever, except to—(persons who have rendered eminent service to the country by sea or land.)

“Resolved, That the said power shall not extend to the granting of any office whatever in reversion, or to the granting of any office, salary, or pension, for other term than during his majesty's pleasure, except such offices as are by law required to be granted for life or during good behaviour, and except—(An exception will here be introduced in favour of persons rendering eminent services to the country by sea or land.)

“Resolved, That the said power shall not extend to the granting of any part of his majesty's real or personal estate, except as far as relates to the renewal of leases.

“Resolved, That the care of his majesty's royal person, during the continuance of his majesty's illness, shall be committed to the queen's most excellent majesty; and that her majesty shall have the power to remove from, and to nominate and appoint such persons as she shall think proper, to the several offices in his majesty's household; and to dispose, order, and manage, all other matters and things relating to the care of his majesty's royal person, during the time aforesaid; and that, for the better enabling her majesty to discharge this important task, it is also expedient that a council shall be appointed to advise and assist her majesty in the several matters aforesaid; and with power, from time to time, as they may see cause, to examine, upon oath, the physicians and others attending his majesty's person, touching the state of his majesty's health, and all matters relating thereto.”

In the course of reading the last resolution, he begged the house to understand, that the intrusting of the custody of the king's person to the queen, was intended to continue during the whole of the regency; but that her majesty's power over the household was only to continue a twelvemonth. With respect to the council to be appointed as advisers to her majesty, he proposed to follow as nearly as possible the precedent of 1788, by confining it to the same number of four, who are to be nominated for the purpose, and invested with the same powers as those on the former occasion. As the period was to be limited to twelve months, and there were strong hopes that it might even not last above six weeks or two months, he thought the house, on mature consideration, would not



hesitate to lodge such a power in the hands of the queen as was given by the resolution : for if it were not, and the king should shortly recover, he might perhaps find all his household altered, his servants changed ; and when once more restored to the use of his reason, he might scarcely know any of those who were placed around him. So much care having been taken on this head in the year 1788, and that care having proved peculiarly gratifying to his majesty on his recovery,—should any alteration of the kind he had just alluded to take place, and his majesty should speedily recover, he might be led to suppose (and most painful would such supposition be to his feelings) that in the course of the last twenty years the respect and affection of his parliament had been greatly diminished, by his experiencing the want of that provision which had been formerly made. Having now opened all the resolutions, he would conclude by recommending them to the consideration of the house.

The honourable W. Lambé said, he could by no means agree in the principles laid down by the right honourable gentleman in the speech which he had just delivered. The right hon. gentleman had opened to the house a plan in which he meant to make his royal highness the prince of Wales regent of the realm. He had declared that he considered the regent to be placed in the situation of steward, or trustee, to the king ; which any one would suppose ought to entitle him to the enjoyment of all those prerogatives with which the king was invested, and without which it would be impossible the prince of Wales could be his real representative. The right honourable gentleman had talked a great deal of the king's po-

litical capacity. What he meant by this political capacity, he (Mr. Lambé) could not say. If there were any powers attached to this political capacity of the king, they might perhaps be in their full existence ; but with respect to all those powers which depend on his majesty's judgement, they were dead to all intents and purposes, as if he were actually demised ; and therefore, as to them, the house were bound to hand them over to the prince of Wales, as regent, exactly the same as the king had held them. He totally disapproved of the restrictions with which it was intended to fetter the regent, and which he conceived to be not only unnecessary, but intended to fix a stigma on him. He contended for the great importance of vesting him with the full powers of royalty.

The house, he said, had of late years had occasion to listen to many arguments on the influence of the crown ; and he begged them to recollect, that in all those, the present servants of the crown, the right honourable gentlemen opposite to him, had uniformly maintained, that the influence of the crown was not more than was absolutely necessary for carrying on, with effect, the high and important concerns intrusted to it. With what confidence, then, could these gentlemen propose to appoint the prince of Wales to the office of regent, and (as they say) a trustee for all the powers of the king, and at the same time refuse to him or strip him of that influence, and those prerogatives, without which the king himself could not preserve those powers ? The prince ought unquestionably to possess all those prerogatives and all that fair influence which belonged to the king, whose

whose place he is to fill, and whose duties he is to perform. They were given by the constitution for the mutual benefit of the king and the people; and the expense attendant on them was always cheerfully submitted to, because it was deemed the price we pay for our political liberty; and all and every of them should be bestowed on the prince, at the time when he is placed in so arduous and important a station as that of regent. Regencies in every country have been the times when intrigues and factions have most flourished; and such being the case, the house ought not to think of weakening any of those prerogatives or powers belonging to the crown which have always been acknowledged necessary for its security and preservation. For all these reasons, he should conclude by moving an amendment to the first resolution, by leaving out all the words which contained the restriction.

Mr. Canning, after combating the first four resolutions, observed that his right honourable friend (Mr. Perceval) said, that he proposed these restrictions because they had been proposed in 1788. Now, imitation was of two kinds: first, there was one sort of imitation which seized on the principle and spirit of a precedent, and applied them to the case; secondly, there was another sort of imitation, in which the dry letter of the precedent was taken, however inapplicable in the spirit. The right hon. gentleman himself found, that the precedent of 1788 did not fit the present case; and he was obliged to cut it, and clip it, to try to make it fit. He conceived that he paid as much respect as any man did to the authority of the great man (Mr. Pitt) who was the author

of the precedent. The restrictions which were proposed in 1788 were proper for the circumstances of that time, which was a period of profound peace; but it by no means followed, nor did he think, that they were proper for or suitable to the existing circumstances. If, in fact, those powers which it was proposed to withhold from the regent could by their abuse be productive of such great inconvenience, and yet by their proper exercise be productive of so little good, as to say that the executive government might go on as well without them, this would be an argument for abolishing altogether this branch of the royal prerogative:—a power that can do a great deal of mischief, but little or no good, ought not to be preserved. As to the idea of any opposition being likely to be made to his majesty resuming his power, he thought it absurd in the highest degree. If he could conceive that such an idea could enter into the heart or mind of any man, from that man indeed he would wish to withhold all power—he would not arm him even with “a pigmy straw.” He could not conceive it possible, that any individual whatever, merely from calculations of personal advantages, would oppose the king’s return to power, should his health be again restored. There were difficulties which roused men to greater exertions; but it really appeared to him, that the difficulties imposed upon the government of the regent were quite too great to be consistent with the public good. It must have great difficulties to encounter from its temporary nature. The same degree of attachment could hardly be expected to a temporary and fugitive government; which accident might dissolve in a day, as to the more per-

manent governments which are established by the sovereign himself. He did not think this was a time in which the executive government would bear to be crippled; and the reasons which were offered for so maiming its powers produced no conviction in his mind. On the last resolution, his right honourable friend had expressed a wish that there should be no discussion this night, and therefore he should not go at much length into that topic. He must however observe, that as to the custody of the royal person, it was clear from every analogy, and from the feelings of nature, that it ought to be given to the queen; but as to the household, he would much rather attach a large portion of them permanently to the service of the king, than have them all attached to him for the limited period mentioned in the proposed restrictions. He would rather preserve the splendid condition of his majesty's household during the whole term of his natural life, than appoint any other person upon whom they were to be dependent. Whatever splendour was becoming his majesty's situation, he wished him to be surrounded with. He wished that the country should seem to treasure him up as a thing on which they built great hopes for future years—that he should not appear immured, but enshrined in their grateful recollection and loyal attachment. Upon the best view of the case which he was enabled to take, it appeared to him that the limitations, in point of time, were so far from being likely to produce advantage, that on the contrary they would produce very great disadvantage. Neither could he see any danger in the power being given to the regent of creating peers, or filling up vacant offices. There

was nothing, however, which had been proposed to which he felt stronger objections, than to committing to any one else that patronage over the household, which it was proposed to deny to the regent.

Mr. Matthew Montague and lord Castlereagh were for the resolutions: the latter said,

It did appear to him that nothing injurious to the efficacious government of the country would result from these restrictions; for under the circumstances he had no doubt the regent himself would act with a regard to these restraints, though not imposed by parliament. And if he were the regent's minister, he should, from a sense of propriety, refrain from the exercise of such powers as it was proposed to refuse. The restrictions, therefore, would produce no weakness: on the contrary, the government would be embarrassed under the circumstances, by the very want of this restraint. If the regent possessed the power, it might appear ungracious not to use it, and this would be a source of weakness. The minister would be considered as weak in the confidence of his master, if peerages and other favours were not granted at his recommendation; and through this opinion of the minister, the general frame of the government would be weakened. He would not, however, restrict the granting of peerages for any great number of years. If the illness of the king should be long protracted, if his recovery became hopeless, the government must be rendered completely effective; but he was convinced that restrictions ought to be imposed, at least for a limited time, when it was known, from his three former illnesses, that his majesty's ma-  
lady

lady was not likely to be of long duration.

Such was his general view as to the restrictions, and the light in which he regarded the granting of peerages applied to the other points. But the great object was to establish the constitutional maxim so as to put it out of the power of any individual to embarrass the operation of the executive government when restored after a calamity like the present. The argument of his right honourable friend was, not that restraints ought to be imposed merely for the purpose of securing the restoration of the royal authority to the king on his recovery, (for on that point all were agreed,) but that the trustee ought to be restricted in such way as to secure the restoration of the royal power in such a condition as to leave the exercise of it free and unembarrassed in the hands of the recovered monarch. On these grounds he argued that the regent ought to be restrained both as to the granting of peerages and as to the patronage of the crown. He was far from distrusting his royal highness; on the contrary, his personal feelings would lead him to dispense with all restriction. But here he must act for the public, and not for himself. As a member of parliament, he must consult the interests of his country, and not his own personal feelings. It was his duty to take care that no mischievous precedent should be established—that no personal confidence should be reposed, that might fetter future parliaments in the exercise of a sound discretion, and affix a stigma on future regents.

Lord Kensington spoke in favour of the amendment.

Mr. Leach stated his entire difference from the opinions of those who would act strictly on the precedent

of 1788. What is a parliamentary precedent? It amounted to nothing more than a certain set of opinions of certain persons. With respect to the weight and value of a precedent, of which much had been said in order to liken this precedent of 1788 to those which were of authority in the courts of law, he should take the liberty of saying a few words; and that not with a view of decrying precedents where they were of real value. A single precedent in a court of law was entitled to much respect, inasmuch as it was the opinion of some eminent and learned person on some important point. The precedent, therefore, derived thence an authority. Those who opposed it, must show that it was wrong in the principle on which it proceeded; or that, admitting the principle to be right, the conclusions were erroneous. Success in either of these cases detected and exposed the error. The exposure of the error, then, destroyed the precedent. He was willing, for the sake of argument, to let for the present the precedent of parliament stand as high as precedents stand in courts of justice. He would suppose this precedent of 1788-9 on this footing, and then proceed to point out its errors. The first consideration was that of the right, and the next that of the expediency. The right now asserted, was that of the two houses of parliament to supply the defect in the exercise of the kingly office, a right so far perfectly admitted; but then it was asserted, that in exercising this right, justified by the necessity of the case, they were also justified in *limiting, abridging, and impairing* the constitutional privileges and prerogatives of the *kingly office*. Now, where was the foundation of *this* right to be dis-

covered? It must exist either in the statute law, or in the common law of parliament, or in sound constitutional principles on points analogous to the present case. But, was it to be found in the statute law? Certainly not. Was it then to be found in the common law of parliament? Text writers had a certain kind of traditionary authority, as they preserved the ancient law of the land. But where in the common law of parliament could be found any authority relating to this subject, however ancient, which could give an authority to the two houses of parliament to authorize a limitation of the kingly office? He totally differed on this important subject from his right honourable and learned friend the chancellor of the exchequer. He could find no instance in any of the parliamentary precedents whatever, of parliament, in cases of supplying the defects of the royal office, having limited or abridged the powers of that office. He desired he might not be misunderstood. He was perfectly aware that in cases of defect, which parliament had supplied, they had made substitutions of one, or of several, of many persons for the sovereign himself. But the question before the house now was not of that sort, but that of limiting and abridging the royal authority itself. A noble lord had mentioned regencies appointed in cases where, as for instance, in the last reign, the king himself went out of the realm for a time, in which there were restrictions on the person nominated to fill the councils of regency. But the noble lord seemed to lie under a mistake in adducing such cases; for they were not in point, inasmuch as they were not cases of any parliamentary authority. They were merely

provisions for the government of the country pending the temporary absence of the king. They were made simply by the king's own will, and as such were agreed to by parliament. The honourable gentleman went through all the cases, and said, that so far from finding in any of them any limitations or restrictions, the whole power was conferred on the whole council of regency. Well, then, resumed the learned gentleman, where, if this be so, where was the principle of the precedent as to the restrictions to be found? Was it in constitutional principles bearing by analogy on this case? The moral capacity of the king was gone, but his political capacity remained. His *will* was gone! Something therefore was wanting. Who could so well supply the want as the two houses of parliament, as representing the whole people? The right to do so arose out of the necessity of the case. There was now a necessity to supply the king's will. Now what were the limits of that right? Simply to supply the king's will. Appoint the prince of Wales regent, and there is an end of the difficulty. They would then have supplied the defect, and restored the will; the moral capacity! But they were then called upon to do—What? To abridge the royal authority! Parliament had been told that the capacity of the king was entire, that the throne was full; and yet they were called upon to destroy the entirety of the monarchy, to create a new monarchy of their own, with or without prerogatives, just as best suited the good discretion of the two houses of parliament. Was this a right consistent with the ordinary forms and principles of the constitution? No! parliament was by

by its office to aid the king in his government, to watch and to superintend the conduct of his ministers. And were they now to new-model the monarchy upon certain principles of expediency? to new-model the monarchy, on the ground of the independency of the houses of parliament? The prerogatives were given to the kingly office to secure the three estates of the realm. Now, he would ask, what was the evil which was to be averted by this scheme for abridging the royal authority in the hands of the regent? The reasoning ran thus:—Limit his power, or he may so abuse it, during his temporary possession of it, as to obstruct the return of the king to the resumption of his authority, upon the fortunate event of his restoration to his moral capacity. And upon this supposed anticipated evil they were to justify a violation of the principles of the monarchy! There might be, it was presumed, such superfluous use of power by the regent, as might subsequently, after power passed out of his hands, diminish the authority of the king! He agreed that this was not to be argued or considered as a question of personal character, but that it was to be supposed, that the person to be appointed was one of a character not below that which was necessary to his being intrusted with the office of regent. We were, therefore, positively and willingly to incur that *very* evil from the hands of a regent, which we profess to fear we shall suffer upon the return of the king at the close of the regency!!! As to abusing his powers, a regent unquestionably may do so; and so may a king! But had not the parliament the power of watching, of correcting, of checking the abuses of govern-

ment? Would the power of a regent, a temporary and substituted possessor, be stronger than the power of a king?

Having compared the powers of a regent with those exercised by councils of regency, he said, the reasons why there had not been sole regents more frequently appointed, appeared to be, that it was not always that persons standing in the situation of heirs-apparent were to be had; and it was considered inexpedient to appoint persons who were not likely at some time to enjoy in their own right the whole of the executive powers, to the situation of sole regent without any limitations. Besides, it must always be had in remembrance, that the heir-apparent would be much less likely to abuse the powers of government, which he would have afterwards to exercise in his own behalf, than any individual not so directly interested in the succession to the sovereignty. The appointment of councils of regency, therefore, was a judicious precaution against the influence of human passions. They must altogether forget the nature of man, and the influence of power, if they could not perceive, that a power committed to many, was more liable to abuse than if confined to a single individual. In the latter case they would have the personal responsibility of the individual; but in the former, all the effect of that personal responsibility, of individual honour, as checks against the abuse of power, would be entirely lost. In fact, if they were to look to the history of all countries, it would be found that power had been more frequently abused when committed to many, than when exercised by a single individual. In this view of the question, the house

had

had no right whatever to impose any limitations on the sovereign powers to be intrusted to a regent. Though it might be urged against him that his argument, to be consistent, should be extended to the provisions for the care and custody of his majesty's person, he must observe that it by no means went so far. The provisions for the care of his majesty's person were not restrictions affecting the powers of the constitutional monarchy, but collateral to it, and forming only a part of it. But he would go even to the extent of saying, that parliament had no right to make such provisions, desirable as they might be, either for the custody of his majesty's person, or for producing facilities for the resumption of his royal authority on his happy restoration to health. The arguments advanced in support of the necessity of such provisions proceeded on the supposition, that the prince, if appointed regent, would refuse his assent to an act for carrying them into effect. The whole theory rested on the presumption that that illustrious person would thus grossly violate his duty, and abuse the powers committed to him. It was his wish, on this occasion, to put every consideration drawn from the personal character of the prince out of the question. They were to legislate on a great public interest, and should be influenced only by great public principles. But even supposing that any such abuse should take place, would not the two houses of parliament have constitutional power to control such a proceeding? If the constitution were too infirm for this control, they ought to new-model it. But it was not infirm; the three branches had been happily combined for their object, and were perfectly ba-

lanced in their operation. Yet, might it not be contended that the powers of the two houses, which were found sufficient as a check on the abuse of power on the part of the king, would be an adequate check upon the regent? If they were to consider the question on the ground of expediency only, then they must give up all idea of discussing it as a great abstract constitutional principle, because the whole would then turn upon the expediency of the particular case. As he had shown that in no instance had any limitations been imposed upon the persons appointed regents, he would ask whether this was a case, in which for the first time in the history of the country they would be prepared to impose such restrictions? Impressed strongly with the considerations he had urged, he did not think that any gentleman would be of that opinion. He had submitted these considerations to the committee, being not original, but the result of much industry, labour, and research; and he should leave it to the wisdom of the committee to draw its own conclusions from them. The general result of all he had been able to collect was, 1st, That the right of limitation of the powers of the crown in the hands of a regent, or a regency, had never been exercised by that house: 2dly, That such right of the house was founded upon no authority, and in the case under consideration went beyond the necessity which created it, and was inconsistent with the constitution: and 3dly, That the expediency of such a right was as unfounded as the right itself. He had stated the reasons with all humility which led him to these conclusions, and he left it to the committee to decide upon

upon them. He should only add, that if the committee should adopt the resolutions, they would take upon them an awful responsibility to the constitution, which having received entire from their ancestors, they would thus hand down to their posterity mutilated and deformed.

The question being called for, there were,

For the amendment . . . 200

Against it . . . . . 224

Majority . . . . . 24

A division then took place on the second resolution, respecting the power of creating peers :

For it . . . . . 236

Against it . . . . . 210

Majority . . . . . 16

On the third resolution, respecting the power of granting places and pensions, the division was as follows :

For it . . . . . 233

Against it . . . . . 214

Majority . . . . . 19

A fourth resolution, respecting the king's private property, was unanimously agreed to.

The consideration of the fifth resolution was then postponed, and the house adjourned.

Jan. 1. The chancellor of the exchequer rose and stated, that after the length of time during which the house had honoured him with their attention yesterday, it would be inexcusable in him to detain them, on the present occasion, at much length. Indeed, he had little more to do than to repeat somewhat more fully those grounds he had already laid before them, and which he had recommended to their serious attention and their favourable re-

ception. Having touched upon the several topics contained in the resolution then to be decided upon, particularly with respect to the household ; he said, he must entreat them to think of the mischiefs they might produce, if they did not suffer the establishment for a short time to remain as it now is. In a constitutional view he admitted that the restriction in the creation of peerages was a more important consideration ; but in the view of his majesty's restoration to the full exercise of his royal functions, it bore no comparison with the considerations that suggested themselves on this branch of the general subject. It was their duty to provide the surest and easiest means of the resumption of his majesty's powers ; and in doing so, they would be careful that nothing they did might tend to have any unfavourable effect on his majesty's mind, when the desired and looked-for change commenced. These opinions and recommendations he felt himself justified in repeating, and he left the further consideration of the subject to the committee. He then moved the resolution.

Earl Gower then rose and said, that during his majesty's retirement there could be no occasion whatever for maintaining all the external grandeur of the crown around the royal person. He thought it in vain to argue for it : it was self-evident. The other point, that of the possibility of a party being formed, by keeping up an expensive unnecessary establishment, was of great importance. It was quite unnecessary to prove that the government of a regent was in itself weaker than that of the king. All the current of our history showed that to be the fact. By the restrictions already agreed to, we had made



made the regent's government very much weaker. He would not say that such a party as he alluded to would be formed; but he would say, that it was possible that if it were formed, it would be improper, and that means ought to be taken to prevent its formation. He should on these grounds move an amendment, to leave out certain words in the resolution, after the words "the king's most excellent majesty," respecting the power of the queen in removals, &c. and to insert words to the following effect, "together with the sole direction of such persons and establishment, as are suitable in the present circumstances to the care of the king's sacred person and royal dignity."

Mr. Henry Martin thought that the right honourable gentleman opposite had gone quite as far, in his address to the feelings of the house, as his own personal feelings could have led him. But he would protest against this mode of making an appeal, at any time, to the feelings of parliament, however the personal feelings of any right honourable gentleman may be affected. He, for his own part, did not find it necessary to be constantly stating his feelings of attachment and duty to his sovereign. He hoped rather that his feelings should be judged of by his conduct, as those of every member ought to be. If the house owed a duty to the person of the king, they were not to forget that they also owed a duty to the crown and to the people. He protested against the attempt to separate the king's person from the crown. The honourable gentleman contended, that there having been no precedent, it would be extremely wrong in the house to think of stripping the regent of those powers which had always belonged

to the king, and without which it had uniformly been contended that the kingly office could not be maintained. He more particularly objected to the resolution on this further ground, that the house had already agreed to trust the prince of Wales, as regent, with the power of the sword; but they were now desired to refuse him the nominating of the household—a circumstance which would be deemed highly derogatory to the character of any private individual, who was desired to accept a trust under such restrictions as conveyed confidence on one hand and jealousy and suspicion on the other. He flattered himself he should always be found as attentive in all his duties to his sovereign as any other member of that house, and no man could be more averse than he was from diminishing in the smallest degree the magnificence and splendour which ought to be attached to him in his royal capacity; but in the present case the house ought only to consider the real personal convenience and comfort of his majesty. No splendour could be necessary to his present unfortunate situation. He could not therefore agree to grant, in a time of great public pressure and exigence like the present, any additional expenditure which might be saved to the country; and seeing nothing to be dreaded in trusting the regent with the government of the household, as well as with the government of the empire, he should certainly vote in favour of the amendment proposed by the noble lord.

Mr. Johnstone and lord Milton spoke against the resolution: Mr. H. Addington and Mr. Stephen were for it.

Sir Samuel Romilly said he was sure that those who undertook to state

to the house his majesty's private feelings were very much mistaken on that subject, if they supposed that his majesty could ever harbour such a suspicion of his eldest son and heir-apparent, as to suppose that, if he were intrusted with the full functions of royalty during his illness, he would immediately abuse that power for the purpose of embarrassing him in the exercise of his government, if Providence should be pleased to restore him to health. As to the bare possibility of power being abused, he would ask how that was to be prevented? What security, for example, was there that this power might not be abused in a similar manner in the hands of the queen? The security was only in the natural feeling of conjugal affection, which made it unlikely that she would run the risk of wounding the feelings of his majesty by removing his particular friends, and appointing strangers to his household. Now if the house considered that there was perfect security for the private feelings of his majesty in this point, by relying on the conjugal affection of the queen, he would ask, was there no security in the filial affection of the prince? Any argument which proceeded on this supposition, was highly injurious to the character of his royal highness. He thought that the gentlemen on the other side had been as completely wrong in their opinion of the private feelings of his majesty, as they had been irregular in introducing them for the purpose of an undue influence on the house. It was absurd to say, that the prince might safely be trusted with all the higher powers of the government, upon which the honour and security of his majesty's crown as well as of the coun-

try depended; but that he was not fit to be trusted with the regulation of the royal household, or with the appointment or removal of a lord of the bedchamber. Before he proceeded to state his opinion on the particular resolution submitted to the house, he hoped that he should not be considered much out of order, in making some observations upon the restrictions in general. This question was so connected with the particular one before the house, that he did not know how to separate them. Whatever severity of censure he might expose himself to from delivering his opinion, he would say that he felt very great doubts of the right of the two houses of parliament to propose restrictions on the power of the regent. He should repeat, that he had great doubts, whether the two houses possessed any such right; and it appeared to him, that the resolutions which they had adopted were inconsistent with the course they were pursuing. They first in their resolutions state, that it is the right and duty of the two houses of parliament to supply the deficiency in the royal authority; and after so stating that it is their duty to supply it, they proceed by leaving part of it unsupplied. From the necessity of the case, the two houses had a right to supply the royal authority; but he did not think they had a right to substitute any thing else in the place of it. The two houses had a right to restore what was deficient in the constitution, but they had no right to alter it without the consent of the third estate. They had not a right to make a new constitution at their pleasure. If the two houses, for example, should choose to appoint a person merely to give his assent to their bills, leaving at the same time

time all the other functions of royalty unsupplied, they would be doing a thing which they had no right to do. Their right and their duty was to supply the deficiency in the monarch during the illness of the sovereign: and if they did not supply the deficiency, but only what part of it they thought proper, they would be failing to discharge that which, in their own resolution, they had declared to be their duty. A right honourable gentleman had said, that the house had a right to do no more than to delegate such parts of the royal authority as were necessary for the well-being of the government. That gentleman had not, however, explained what part of the royal prerogative was not necessary for the well-being of the government; and he must say, that in the course of his studies he had never found out what was unnecessary. If any branches of the prerogative were not necessary, they ought not to exist. A power that was quite unnecessary ought not to be placed in any hands. As to the restricting the regent from making any peers, except in reward for naval or military services, he could show, by instances, that there were other cases in which the restriction might be positively injurious to the public service.

Having enlarged upon various other topics; he said, at the present time, when all the strength of majesty was necessary, he thought the executive power should not be stripped of its accustomed splendour, or diminished in its power. The question which the gentlemen on the other side seemed to wish to determine, was, with how small a portion of the regal authority the business of the country could go on? As to the splendour which ought

to surround the executive power, it must be recollected, that when there were discussions respecting unnecessary burdens from inconsiderable offices, it was always contended on the part of ministers, that those appointments were necessary for the proper splendour and influence of the throne. He hoped that they would not now try the experiment in the first office in the country—that of regent—with how small a portion of splendour and influence it would be consistent with the public safety that the head of the government should be invested. Did the right honourable gentleman, then, suppose, that because it might be likely that the regent would encourage such measures of œconomy, a stop should be put to those reforms to which the people looked with so much anxiety and interest, by imposing restrictions upon the powers to be committed to the regent? He should, for his part, protest against this doctrine, as injurious to the government of the regent, and likely to be prejudicial to the interests of the public: but he was particularly averse from making an experiment upon the constitution, by the appointment of a regent with restrictions of the powers of the executive government. This experiment might be tried with much less danger in the case of a person removed, no matter how far, from the succession to the crown; but could not be put into practice without much apparent hazard in the person of an individual the heir-apparent to the crown, and who would have at no distant time, perhaps, to take on him the whole powers of the executive government. To cripple, in the hands of the latter, the powers of government, whilst they may be temporarily

rily intrusted to him, might have the effect of inducing men to conclude, that the restrictions imposed during the term of his regency might beneficially be continued whenever, by the course of nature, he should succeed to the entire sovereignty. Were these times for trying such an experiment? Was the present situation of this country, and of the world, when it was impossible not to foresee that in the reign of the successor to the throne the most important events must occur, the most favourable for such a trial? For himself, he should wish most sincerely that the glories of the present reign, which had been so much dwelt upon, should be enhanced in the reign of the successor of his majesty; and that the happiness of the people, which was stated to be one of the blessings of his majesty's government, should be increased under the paternal rule of his immediate heir. With this view, not only from regard to the prince, but to the sovereign and to the country, he should not consent to any of the restrictions proposed upon the regent.

Mr. Wilberforce and several other members took part in the debate; after which

Mr. Canning rose, and began by observing that in the latter part of the debate the real question had been lost sight of; and he might do some service in recalling it to the attention of the house, while he explained the ground of his own vote. The resolution now before them divided itself into three parts:—First, That the custody of his majesty's person should be given to the queen.—On that point there was no doubt. Secondly, That it was expedient that, for the due admini-

stration of this trust, her majesty should have a council.—On that too, as a general proposition, he presumed there was no difference of opinion. But there was an intermediate proposition between these two, which formed the question for the present discussion; namely, that a trust of considerable political power should be committed to the queen; that she should be enabled to remove not only the officers of his majesty's household, of less consequence in a political view, though of great importance with regard to his majesty's comforts, but also persons standing high in the political scale. The real question then was, whether they might not sufficiently provide for the comfort and dignity of his majesty, without committing considerable political authority to hands where political power had never before been placed. That was the whole question. Supposing he were to vote for the original resolution, he should then decide, that the queen should have the power of removing sixteen great officers sitting in the house of lords, and several sitting in the house of commons. If the amendment then went to the general words, for the purpose of taking care that a point of such importance should not be hastily decided upon; if that should be adopted, there would be nothing in it to prevent the granting of power when the bill should be brought in, even political power. But he did not wish to be pledged by the vote of this night to give all. If then he was called upon to decide in one night, that political power to so great an extent should be placed where political power was never placed before—if he had only to choose between two propositions

sitions—one deciding the question at once, the other allowing time for consideration, and being neither so new in its nature nor involving such consequences—he was disposed rather to adopt that alternative which afforded him further time for deliberation, and vote for the amendment. He did not deny that, if he were obliged to vote for the resolution as it now stood, aye or no, he should entertain some doubt on the subject. But he could not consent to the erecting, by a vote of one night, a power which might by possibility be turned against the executive. He was far from thinking that the executive power was in a state in which it could admit of being diminished; but if it could afford to lose the power now sought to be transferred from it, then, indeed, it was in a state in which it ought to be diminished.

Mr. Perceval entreated the house to consider what the effect would be, what it might be, one way; and what could be the national inconvenience in the other way. A month or six weeks might restore his majesty to the wishes of his people; and would not every gentleman then regret that any derangement in his majesty's establishment had taken place? He again repeated that, if desired by his right honourable friend, or the house, the political power of removal might be taken away from her majesty. There must be some inconvenience under any arrangement, and a certain share of influence and power must exist in any view. He did most solemnly protest against any derangement of his majesty's household at the present moment; he dreaded such, as likely to produce the greatest calamity. He might have formed

an erroneous opinion on the subject; he trusted in God, if the amendment proposed was adopted, it might be found he had done so.

Mr. Whitbread said he had not intended to make any observations on the question then under discussion; but he could not suffer the extraordinary speech of the right honourable gentleman, made in a house considerably fuller than that in which a few days since he had uttered sentiments equally extraordinary, to pass by without declaring his astonishment and disapprobation. The right honourable gentleman, after having broken down the most important barriers, of the constitution, after usurping all the prerogatives of the crown, had at length violated the rules which had been established for preserving the dignity and propriety of debate. On any other occasion the introduction of the sovereign's name, in the manner used by the right honourable gentleman, would have imposed on the chairman the necessity of calling to order the person making such allusions. Was the house to endure that it should be said, that if they should come to a constitutional vote on the subject before them, his majesty's recovery would be retarded by that proceeding? Was the house to be induced to swerve from the conscientious discharge of its duties by the influence of such representations? If insinuations like these were to be made, and were to produce the effect which it was proposed, it was clear that many considerations must arise in the public mind, respecting the future state of his majesty's health, that might suggest doubts as to the period and completion of his recovery. The right honourable gentleman had begun with informing them,

them, that they ought not to look at the individual who was to fill the office of regent, but to consider themselves as engaged not merely in providing for the present emergency, but as establishing a rule that should be applicable to similar cases hereafter. Abandoning this, his own principle, forgetful of this, his own caution, he immediately, reflecting on the amiable temper of the prince of Wales, on his great and estimable qualities, and on that native dignity and delicacy of mind so conspicuous in his conduct on the present melancholy and trying occasion, turned round, and told them that the restrictions ought to be extensive; because, although every thing in the character of his royal highness tended to inspire confidence, those restrictions should be framed so as to apply to any future bad prince of Wales who might one day be intrusted with the regency. Thus the prince was to be punished for the imaginary vices of his successors, and, what was yet worse, the constitution was to be punished also. A new estate was to be created, and an authority established unknown to that constitution. "Consider," said the right honourable the chancellor of the exchequer, "the many and numerous virtues of the sovereign; would you curtail his rights, or bereave him of his splendour?"—"Good God!" exclaimed Mr. Whitbread, "Splendour! what a word! In his majesty's situation no external splendour can yield a charm or solace to his declining years. His future consolations must all be drawn from the inward enjoyments of a resigned and pious heart, and the happy consciousness, when restored to health by Providence, of dispensing blessings to his subjects! His prerogatives have been usurped

by those men who think no splendour, no state, no influence necessary to support the character and authority of a regent." The throne had for some time been surrounded by learned gentlemen; but among the crowd of them, not one had been found bold enough to attempt a reply to the arguments stated by an honourable and learned friend of his (Mr. Leach), last night, with such infinite force and perspicuity; and the inference of his mind was, either that those arguments were unanswerable, or that among those learned gentlemen there was not a real lawyer to be found. Mr. Whitbread concluded with stating, that he felt as much confidence in the result of that night's division, as there was evident apprehension on the other side of the house.

The question being called for, the house divided on lord Gower's amendment:

Ayes - 226 Noes - 213

Majority against ministers 13

Jan. 2. The report of the committee on the state of the nation was presented to the house by Mr. Lushington. The resolutions being read, the question was put, that the report be received, when a long and very spirited discussion arose, in which lord Porchester, sirs S. Romilly and Thomas Turton, Messrs. Whitbread, Canning, Sheridan, Wynne, Morris, Ryder, and the master of the rolls took a part.

Lord Porchester moved, as an amendment to the first resolution, that the words "subject to such limitations and exceptions as shall hereafter be provided" be left out. Of the various able and argumentative speeches on this occasion we shall only notice a few passages in that of Mr. Sheridan.—He said, the more he considered the transactions

of 1788, the more he felt inclined to testify his disapprobation of them.

"But, sir," said he, "an endeavour is attempted to obtain a sanction for this proceeding upon the authority of his majesty's expressed approbation, when restored to his faculties and throne in 1789. Let us examine the strength of this position. That speech was either the speech of the ministers, or the personal opinion of the sovereign. If it was the personal opinion of the sovereign, it is unconstitutional in any man to quote it in this house; and if it was the speech of the ministers, what other interpretation can it bear, but that it was the expression of their own approval of their own acts? I more particularly advert to this point, because I find it to be one on which the right honourable gentleman the chancellor of the exchequer has placed the main stress in his answer to the princes of the blood; an answer with no great characteristic, unless one should observe the degree of peevishness in which it is conveyed, combined with the attempt of dividing the royal family at the same moment that they would divide the royal authority. But, recurring to the events of 1789, it was observed by the honourable member for Yorkshire, that he believed that however the leading parties differed as to the means, it was his conviction, and he was sure the conviction of those who supported the proceedings of that time, that their opponents were actuated by the most sincere motives of loyalty and duty. Does the honourable member recollect the events which followed his majesty's recovery at that period? Does he recollect the dismissals and exclusions which with such unrelenting vengeance pursued the opposition of every

man who happened to have voted against the minister? Do they also attribute these acts of persecution to their sovereign? Will they say that the sovereign, whose character has ever been so conspicuous for piety and benignity, when restored by the will of Heaven to his reason and his throne, instead of being employed in returning his God his most grateful acknowledgements for his divine favour, that he was the author of these vindictive proofs of displeasure which succeeded to the fortunate event of his recovery?—It would be a most brutal and disloyal application: but it is an application that must stand on as fair ground as to make the monarch responsible for the speech of his servants. At present I feel it unnecessary to go more at large: indeed, little else remains to be answered; for all that we have heard from the gentlemen opposite refers entirely to the proceedings of 1789. They are the phantoms of my lord Thurlow, supported by the ghost of Mr. Pitt. The private virtues of my sovereign I reverence and honour; but to make them the link and bond which connects the various branches of the state, is to libel both the sovereign and the constitution.—Has the prince no virtues?—Admitted—but we have no experience of him as a king.—What then?—We must restrict him—that is to say, We must abridge and deprive him of all the prerogatives and capacities of the royal authority, by the exercise of which the benefits of the sovereignty can be dispensed, until we have ascertained whether he is entitled to the character of a good king. He must reign, says a learned gentleman (Mr. Stephen), fifty years.—Surely he cannot mean that the energies of the monarch can-

not

not be displayed until the powers of the man have actually ceased. It is indeed the end and tendency of all these arguments, to prove of what little value or necessity the kingly office is. Why then, it is said, those restrictions will expire in a year. Is this the intention of the right honourable gentleman? Are these all the means by which the state and happiness of the afflicted monarch are to be preserved? Are these all to lapse and vanish within the short period of twelve months? Is he in his sickly situation then to be given up to the care of him, against whom the most unjust suspicions, by the very act of restriction, were now presumed? —The fact is not so. They are to continue for a year and six weeks, to be then subjected to the consideration of parliament, whether it shall think proper to renew the lease. The dismissals which followed in 1789 are the strongest proof of the manner in which opposition by any of those officers of the household at any future time would be treated. They must feel that for restriction they must vote, or resign their offices. What was that but to degrade the monarchy? —to have the representative of royalty from year to year catechized by parliament—to place in his hands the sceptre *quandiu se bene gesserit*? Much more willingly would I accede to have the period of limitation extended to three years, and then altogether cease, than subject the executive magistracy to such degrading conditions. There are two points which I feel it impossible to overlook; the condition in which we are placed; and the condition of the government. As to ourselves, I contend that we are at this moment no house of commons, and that the men who

dare to execute the functions of government are guilty of usurpation. The very avowal that it was open to them to exercise such functions, even though the assertion be not carried into effect, is treasonable. It is an act of high treason in the men who dare make the proposition, and misprision of treason in this house patiently to listen to such doctrine. They are a new directory, self-elected and self-constructed, upheld by nothing but their own forcible seizure of the attributes and prerogatives of the crown. There is no other distinction between them and the executive directory of France in the year 1795, only that the latter owed their appointment to the appearance at least of popular choice. It would, indeed, in this æra of military expeditions, be some consolation to think that our directory could boast such a skilful engineer as the French had in Carnot. There is however one similitude, that at the head of the French directory as well as our own there was a lawyer of the name of Reubel. And I recall this to the attention of the gentlemen opposite, that when the day of serious account shall come,—as come it must,—the right honourable the chancellor of the exchequer, at a time when precedent passes for every thing, and common sense and the constitution for nothing, might have the full advantage of the case of Reubel. As to our own condition, we seem to act under the impression, that what the monarchy has lost has been divided amongst ourselves; whereas the royal power is so fundamentally interwoven with every other interest in the state, that by its interruption the life and power of parliament are paralysed. We are a sort of sheer hulk run adrift, without either rudder,



der, mast, or pilot. If this were your first sessions, what privileges could, in your present state, belong to you, demanded, as such privileges are in the first instance, from the crown? Have you committees of religion, justice, or privileges—measures which characterize your legislative existence? Do you print your votes? How then can you assume the front and mien of a legislative body? We are in a most miserable situation; and a regard for our own dignity, if no other consideration has power to influence, ought to compel us not to lose an hour in taking the most prompt means to get rid of the difficulty. But when we look to our foreign relations, can we see no difference in the prospect of the times at this moment, and when the miserable precedent of 1789 was introduced? What, I ask, is the object and argument of him who is now the emperor of France, whose title it is folly to deny? What are the principles to which his policy gives utterance throughout the extensive range of his oppressive influence? That revolution which was to impart peace to cottages, and destruction to thrones, has ended in the establishment of more thrones and the desolation of more cottages, than the afflicted world ever before witnessed. Has he not declared the distant dynasties of Europe to be unsound and rotten, and professed his intention, to accomplish their ultimate subversion? In spreading through the unhappy nations subjected to his will the horrors and hardships of his unfeeling despotism, of what powers of oppression does he avail himself? Are not his instruments kings, decked out in all the exterior trappings of royalty, but divested of all the means of grace and benignity to

win attachment or to reconcile privation? Warm as our sympathy must be for the unhappy people subjected to his caprice and sacrificed to the objects of his criminal ambition, it is impossible also not to feel for those unhappy persons who, temporarily raised to thrones and sceptres, have been disgraced and cashiered, for the abomination of exercising over their subjects a more mitigated tyranny than his vile policy dictated. The executioners of his vengeance, he places them on a platform and calls that a throne. He puts a whip of scorpions in their hands, and calls that a sceptre. 'See,' said he, to the ill-fated prince of Asturias, 'the folly of being popular—behold the people of all nations panting for retribution—kings they must and do hate.' Shall I then by my vote this night give currency to such doctrine? Shall this house furnish him with additional arguments in support of such principles, followed by an illustration of which he would not fail to take advantage? Will you allow to him the power of saying to the nations of the earth, 'Has not my opinion been well founded?—is it not human nature itself? Can you doubt, when you see Great Britain, notwithstanding its boasted excellence of constitution, greedily seize the first opportunity that has occurred, to curtail the legitimate powers of the sovereign, and in such an emergency to dismember almost the monarchy itself?' Shall I then, or will this house, become the instrument of Napoleon, in furnishing him with an illustration favourable to his detestable objects? It is a libel, false as hell, to describe such to be the feelings of the people of these realms, or to attribute to the prince any qualities which, in the remotest degree,

degree, can warrant suspicion. Whatever are my hopes and views of reform, I say now, as I have ever said, that we are struggling to preserve a condition of society far above that which the other civilized nations of the world have attained. Is this then the moment to fetter or restrict the constitutional powers of him whom the public voice has unanimously called to preside over our destiny during the unhappy indisposition of his sovereign and father? Shall we send him forth with a broken shield and half a spear to that contest, on the issue of which depends not alone the safety of Great Britain, but the rights and happiness of mankind?"

Mr. Perceval moved, as an amendment to lord Porchester's amendment, That the queen have unlimited power over the household: for which there were—

For the motion . . . 214

Against it . . . 217

Majority against ministers 3

The resolutions, therefore, as presented to the lords, went to restrain the regent from the granting of peerages, &c. for a limited term; but they granted him the whole of the household, except what the two houses may in their wisdom deem suitable to the care of his majesty's person.

Jan. 3. The chancellor of the exchequer said, that a difficulty had arisen, under the existing circumstances, with respect to the issue of sums of money from the exchequer for the service of the army and the navy: and here he wished the house to bear in mind, that the sums required to be issued had been distinctly and specifically appropriated to those services by that house; but as a difficulty had occur-

red between the departments of the treasury and exchequer, he had felt it his duty to bring it before parliament, and to ask of that house the authority of a resolution to obviate the difficulty. Here he was anxious to be distinctly understood, that in any thing he then said or might hereafter say upon this subject, it was far from his intention to fling any blame upon those who, in the conscientious sense of what was their duty, differed from him and the treasury, however much he lamented that they did not see the matter in the light in which it presented itself to him. In the present stage he thought that, it was unnecessary and unfair to enter into any discussion, or indeed even statement, of the circumstance, until the house should be in possession of the facts themselves; and he hoped that the period which would intervene between that time and tomorrow would be sufficient to furnish the house with those facts. He should therefore now move for the production of the papers which he held in his hand, and that those papers be printed:—this he believed could be done within a few hours, and he should then refer those papers to the consideration of a committee of the whole house tomorrow. He begged the house to understand, that, although he had intended to apply to that house, it was not in order to obtain a previous indemnity, but rather to have their subsequent opinion with respect to the authority which the servants of the crown had attempted to exercise. He then moved, "That there be laid before the house a copy of a warrant from the lords commissioners of his majesty's treasury, directed to the auditor of the exchequer, and dated the 31st of-

December last, together with copies of the correspondence which has taken place between the treasurer and the auditor of the exchequer upon the subject of the said warrant." Here Mr. Perceval said, that if there should be any objection as to the formality of his motion, and that notice should be required, he should move it for that day, and give notice of the motion for tomorrow. He moved it accordingly, and the question being put:—

Mr. Ponsonby said that the right honourable gentleman had fallen into a great misapprehension, if he thought that any objection would be made to his motion by those at that side of the house merely because of want of notice. He thought the motion to be of that pressing nature which necessarily exempted it from strict compliance with the ordinary forms of the house. The right hon. gentleman intended to move also, that those papers should be printed. That right hon. gentleman must be aware how impossible it was for him (Mr. Ponsonby) to know how far those papers contained adequate information to enable the house to judge of the whole merits of the case. He hoped, however, that every paper necessary to be had, was comprehended in the present motion. Since the difficulty had come upon them, he wished they had been better prepared for meeting it; and he could not help thinking that it would have been better if the right honourable gentleman had at an earlier period applied to the officers of the exchequer for the purpose of ascertaining what would be their conduct in a case of such emergency; for surely it was not provident to wait the chance of any impediment in the

way of the public service, and to defer the discussion that must take place upon it till the very moment the money was actually wanted. A difficulty now stood in the way of the public service, and it could not be met and obviated too soon, for the wants of the army and navy called for immediate attention. It had been stated by the right honourable gentleman, at the time that he was persuading the house to adjournments from fortnight to fortnight, that no inconvenience could possibly result to the public business from such delays:—serious inconvenience had, however, notwithstanding that prediction, occurred, and was likely still to occur. He again expressed his regret that the right honourable gentleman had not commenced earlier, so as that the house might not appear to act from the mere spur of the occasion, without being enabled to give to the subject the deliberation its importance required.

Mr. Tierney, after complimenting the candour and temper with which the right honourable gentleman had made his statement, asked if the house was to understand, that the correspondence moved for was all that could be necessary to a right understanding of the subject? He wished to know, if in that correspondence would appear all the difficulties that had impeded the issue of the public money? Was the whole difficulty complained of confined to the issue of moneys? and if it was, was there no other mode left than that of applying to the house? He thought that, if there were other difficulties not contained in the correspondence ordered, it would be expedient that the house should have a more formal intimation of them.

The chancellor of the exchequer said,

said, he was not aware that any inconvenience had resulted to the public service as yet, but he should explain all the circumstances to the house respecting the nature of those difficulties. The exchequer act, under which moneys for the public service were issued, required that the issues of all moneys should be either under the great seal, the privy seal, or by act of parliament. He acknowledged that it appeared to him upon the face of the act itself, that a warrant from the treasury to the exchequer would have been sufficient, and it was his original intention to have taken this course; at the same time he accompanied this avowal with the opinion of the attorney- and solicitor-general, who, from the construction of the act, doubted whether such warrant would have been strictly legal. He thought, however, that the practice of the exchequer had been against that interpretation. With respect to the issue under the great seal, there had been no instance of moneys being issued under the great seal for services of that kind; as the money issued under the great seal was generally, if not always, for civil purposes. Of the two remaining modes—by act of parliament, or the privy seal—he, of course, preferred the way by privy seal, on account of two advantages which it possessed peculiarly; that of the lord keeper being alone responsible, (as he, Mr. Perceval, and his colleagues in office, had been most anxious to take upon themselves all the responsibility of such acts,) and also the advantage of being in itself a legal order when presented to the exchequer, though the person who affixed it to that order might be hanged for doing so. But if so happened, that, however will-

ing the lord keeper was to sign the order, it would by the act be inefficient, without the attestation of the clerk of the privy seal (Mr. Larpent), as without his signature the exchequer might reply, that as the instrument did not come to them with all the customary formalities annexed, they might not be justified in obeying it. Not only, however, was the clerk of the privy seal indisposed to sign it, but he had even thought that by virtue of the oath he had taken he had no right to sign it. In a case of this kind, arising from the scruples of a conscientious man, a resolution of that house could have no effect, and nothing less than an act of parliament, *pro tanto*, would be sufficient. As to a formal document, he should endeavour to procure it in a letter from Mr. Larpent to the treasury, expressive of his scruples.

House of lords, Jan. 4. In a committee on the state of the nation, the earl of Liverpool moved the reading of the resolutions which had been brought up from the commons. He disclaimed being actuated by any thing like personal disrespect towards the personage to whom the resolutions most materially referred; but it could not be denied that he was liable to the bias and impression of wrong advice. That great maxim of the constitution, "The king can do no wrong," ought always to be kept in view; but the king may be influenced by those who advise him; and who are responsible for their advice. Upon the same principle of the constitution, I contend with respect to the regent, whoever he may be, invested with the exercise of the royal authority, that he can do no wrong, but he may be influenced by advisers. We must, therefore, I contend, consider this

question in a similar point of view to a question respecting the prerogatives of the crown; and as, in the latter case, without any personal reference to him who wears the crown, so in the former, without any argument directed personally towards him whom it is proposed to appoint regent. With reference to the object of the resolutions now before the house, on looking at all the precedents which at all bear upon the question, and consulting the history of the country, I can find no instance of a regency without restrictions, except in two cases, which were clear usurpations. The great principle upon which our ancestors appear to have acted in this respect, and which appears to me to be the great principle upon which this question rests, was the distinction between the permanent possession of the rights of the crown, and the temporary exercise of the royal authority. The great object now is to provide for the temporary exercise of the royal authority, and that there may be no impediment to the full resumption by the king, upon his recovery, of the authority of the crown. It is upon these principles that the three first resolutions are founded. On the fourth resolution (for taking care of the personal property of the king) it is not necessary for me to say any thing, no objection having been made to it. The fifth resolution (relative to the custody of the royal person, and to the royal household,) is, I confess, not satisfactory to me in the shape in which it has been sent up from the commons. Nothing can be more erroneous than the supposition, that the state offices of the household are unconnected with the domestic comforts of his majesty. All I

ask upon the present occasion is, that the disposition of the household, together with the custody of the royal person, should be allowed for a limited time to remain with the queen. The time I propose is twelve months: and to obviate any possible objection, that may be raised, upon the supposition of any influence arising out of such an arrangement, hostile to the formation of a strong and effective executive government, which it is my wish should be established, I am willing to agree that the great officers of the household shall not, during the time I have mentioned, be removed. I trust it will not be imputed to the queen, that she would improperly use any influence arising out of such an arrangement. I am sure that she, in common with all your lordships and the country, would most sincerely rejoice at the recovery of his majesty, and his restoration to the full exercise of his authority. It is my intention, therefore, to propose an amendment in the fifth resolution, similar to what I have stated. Should his majesty unfortunately not recover, it will then be for parliament to consider the measure which may be ultimately necessary to make such an arrangement as may be conducive to the domestic comfort of his majesty, and at the same time surround him with a dignity in his affliction which his situation demands, and which will be most grateful to the feelings of the country. At present only a temporary arrangement is asked for; and I am sure your lordships will feel that something is due to the feelings of his majesty, who, through a reign of a duration longer than almost any other, has invariably displayed the most unremitting attention to the comforts and happiness of his people.

ple, and who has been ever ready to make the greatest of sacrifices, when they could in any way conduce to the interests or the welfare of the country.

The first resolution having been read, was opposed by

The earl of Carlisle, who said the power of a regent was at all times weak enough; but it was the abominable system of administration to make that still weaker which was weak in itself. He must altogether protest against the three first resolutions.

The marquis of Lansdowne.—

“My lords, the noble earl has gravely talked about separating the prerogatives from the duties of the crown, as if the prerogatives of the crown were not necessary to the performance of its duties. The prerogatives of the crown are vested as a trust for the benefit of the people; and yet the noble earl would take away from the regent a part of those prerogatives, and leave him without the means of exercising the trust reposed in him for the welfare and happiness of the country. If there were any prerogatives of the crown that could not be exercised beneficially for the people, they would be useless, and therefore mischievous. Our ancestors were employed in limiting and curtailing the prerogatives of the crown, in order that none that were useless might be retained, and that only those that were useful to the people might remain vested in the monarch;—and are we now to be told, when only the prerogatives of the crown that could be useful to the people were suffered to remain, that these prerogatives can be suspended without injury to the country? You propose to give the regent all the arduous duties of royalty to perform, and to withhold

from him all the means of calling forth, by the aid of rewards, those talents and those exertions which may be of service to the country, and thus materially assist him in the performance of his duties;—you would deprive him of the power of rewarding oppressed merit, or calling forth the energies of latent genius;—you would give him the power of punishing, but not of rewarding;—you would invest him with all that is harsh and severe in the exercise of the royal authority, but deprive him of all that is mild and beneficent. Amidst rocks and billows you would render useless the rudder that ought to guide the vessel to port;—you place the regent in a situation in which the country must naturally expect from him protection, and yet you withhold from him the means of affording that protection;—you call upon him to ascend the pedestal, and then cut away the ground on which the pedestal rests for support. But will your lordships take advantage of the sleep of the constitution to declare yourselves independent of the crown? The great excellence of our constitution consists in the play of the respective parts, in the reciprocity and control of the three branches of the legislature. The crown can control the house of commons by dissolving it; it cannot dissolve this house, but it has the power of controlling it by creating peers;—yet by adopting this resolution we should declare ourselves independent of that salutary control, and destroy the balance of the constitution.” After many other excellent observations, his lordship added, “I therefore, my lords, feel it my duty to propose an amendment, with a view of getting rid of the restrictions in the first three resolutions. To the resolution

solution respecting the personal property of his majesty, there can be no objection. With respect to the household, I have no doubt, if the restrictions are negatived, that we shall unanimously come to a determination to make an arrangement that will secure his majesty's domestic comfort, that will surround him with that dignity in his affliction to which he is entitled,—a monarch, who, as the noble earl has justly said, has constantly displayed an unremitting attention to the interests and welfare of his people." His lordship concluded by moving an amendment to leave out the words respecting the restrictions.

Lord Sidmouth was in favour of the resolutions, and lord Erskine spoke for the amendment.

The lord chancellor stated, that he should be the most presumptuous of mankind, holding the commission which he held, if he had not followed the precedent of 1788. At that period, it was true, there were great men, now no more, who both supported and opposed the measures then proposed. He for one at that period had an opinion, which he was not ashamed now not to retract, that there ought to be no such a thing as a regent on general principles. The constitution since the Revolution has seen nothing like a regency without restrictions. The question of this night, therefore, would be, not whether there ought not to be restrictions, but whether expediency calls for such restrictions at present. For himself, as a peer of parliament, and consistently with the allegiance which he owed his sovereign, he was justified in voting for these restrictions, which appeared to him expedient to be provided. It was far from his views

and principles to forget or overlook the importance that belonged to the prerogatives of the crown. "I am," said the noble and learned lord, "the subject of a monarch limited by the laws, and by my seat in this house am qualified to discuss the propriety of imposing limits on any temporary trust of the powers of the executive." Where a regent owed his appointment to the two houses, it was impossible to entertain a doubt that the two houses could measure and limit the authority which emanated only from themselves. He needed not to say any thing of the practical difficulties that existed; there was not a man among their lordships who could fail to appreciate them justly, there was not an English heart in the country that could fail to do it, or to utter its sympathies in their melancholy cause. A noble lord had compared the unhappy situation of his majesty to that of a subject suffering under a similar severity of affliction; and he (lord Eldon) would venture to say, that should the amendment proposed that night be carried, his majesty would be deprived of the consolations common and attainable to the meanest of his subjects. "It is," said lord Eldon, "the pure and current doctrine of our history and constitution, that the politic eye of the sovereign cannot see the frailties and infirmities of the mental man. And if the recovery of his majesty's health be the object of an anxious and a wise solicitude, how does it behove us to guard against any decision which may infringe the united obligations of public principle and private feeling!" There might be men who, in the rigidity of abstracted doctrine, or in the breadth and universality of their philanthropy, were

were capable of forgetting the personal feelings of the monarch, in the discussion of his interests. Noble lords had boasted that they considered the prince of Wales without reference to the individual; and although this might be fine in principle, it was a species of political philosophy which, practically understood, he did not envy them. It was now no longer said that the powers of the crown were too great, that its influence had too extensively increased—sentiments with which he unquestionably had never accorded; but, on the contrary, a new position seemed to be taken, namely, that the authority of the regent could not be left too unlimited. He would simply ask, whether it was fitting that all the cautions taken, and all the barriers established in 1788, ought now to be neglected and overlooked, and a new system of arrangement, founded on principles subversive of the former, introduced? and this, at a period when the restoration of the king's health was an event more within the scope of probability than before. He wished that noble lords would take into their conscientious consideration the reflections which these topics suggested: he had endeavoured to impress them with all the energy which he possessed, and was satisfied at least with discharging what he felt to be a most solemn and important duty.

Several other noble lords spoke in the course of the evening; and on the division the numbers on lord Lansdowne's amendment for leaving out of the first resolution the words "subject to such restrictions, &c." were,

Contents 105, Non-contents 102.

The majority was here, three against ministers.

Lord Liverpool then proposed

the omission of the privilege, which had been supported by his friend Mr. Perceval in the commons, namely, that of granting peerages for extraordinary naval and military services: and certain opposition lords, who preferred the full restriction to an invidious distinction, voting on this occasion with ministers, the numbers were, for lord Liverpool's amendment,

Contents 106. Non-contents 100.

The resolution upon the patronage of the household stood as it came from the commons.

The final division was upon the question of receiving proxies,

Contents 99. Non-contents 102.

Majority, three against receiving proxies on this business.

[It will be seen, then, from the preceding statement, that the resolutions sent up by the commons were altered by the lords in two points only: the first resolution undergoing a change in form merely; the words "subject to such restrictions, &c." being omitted. The right, however, of imposing restrictions was not thereby renounced, as is evident from the tenour of the other resolutions. By a change in that respecting peerages, the regent is withheld from granting them generally; having, by the disposition made in the commons, been allowed to confer those honours on men of extraordinary desert in the army and navy.]

House of commons, January 4. —The chancellor of the exchequer presented at the bar, papers, by order of the house, in which was a letter from the deputy clerk of the privy seal. It was ordered to be read, and it stated the application of the treasury for the use of the privy seal, and the reason for not complying with it; which was, that it was contrary to the express letters and



and spirit of the oath of the deputy clerk, to put the privy seal to any instrument in the way which had been desired by the lords of the treasury. [Ordered to lie on the table, and to be printed.]

The chancellor of the exchequer moved the order of the day for the house to resolve into a committee of the whole house, to take into consideration the correspondence between the lords of the treasury and the auditor of the exchequer. After some debate on points of form,

The chancellor of the exchequer rose and said, that after the discussion which had already taken place on this subject, the house would be enabled to form some ground of opinion why he should have thought it unnecessary to bring this business before the house of commons. His opinion, founded on the most serious consideration, was, that it would be better that ministers should have done it by themselves, on their own responsibility, to be submitted to parliament, when their whole conduct as to this transaction could be fairly and fully laid before the two houses for their consideration and approval. The house would see by the papers the absolute necessity there was for the immediate issue of the money—but every member in the house ought to be made acquainted with the grounds on which this money was to be issued. Within these walls, it was impossible any one should conceive that ministers could have a thought of raising or issuing money unless the consent of parliament had been first obtained: but in this case, the whole he had attempted to do was in his idea mere matter of form. An act of parliament (the exchequer act) has directed the mode in

which money is to be issued by the lords of the treasury, after being granted by parliament; and the mode thereby prescribed is, that issues of money from the exchequer shall only be made by the authority of the great seal, the privy seal, or the directions of an act of parliament. It appeared to him and the other lords of the treasury, that as certain sums of money had been expressly appropriated by an act of parliament for the particular services of the army and navy, the exchequer would have been fully justified in issuing those moneys on the warrant of the first lord of the treasury, it being under the directions of an act of parliament; and therefore he looked upon the king's signature as mere matter of form. In consequence, however, of what he had before stated, and of what fell from the right honourable gentleman opposite, that such an order might not be obeyed, he had applied for a privy seal, which would have been a sufficient authority; but not being able to obtain that, he had issued the two warrants for this money. It was no concealed instrument, but openly issued; and he had immediately dispatched them to the auditor of the receipts of his majesty's exchequer. These warrants were No. 1. and No. 2, for 500,000*l.* each; one on account of the treasurer of the navy, and the other on account of the paymaster-general of the forces. To these warrants he had received an answer from the noble lord, who was auditor of the exchequer, the words of which he would now read. After acknowledging that Mr. Fisher had brought him the two warrants, his lordship says (No. 3), "I have been up to this moment totally unapprised of any intention on the part of their lordships to transmit  
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me any such warrant, &c." To this, he (the chancellor of the exchequer) transmitted the answer contained in No. 4, and referred generally to the correspondence which had taken place on the subject\*. For his own part, he thought the responsibility of ministers was in such cases preferable to a committee of the two houses, who cannot act with promptitude. On that responsibility he had acted as the necessity of the case appeared to him to require, and he hoped he had not anticipated erroneously the decision the house would come to on the point. A case of exigency had now arrived. The money was not to be got by any other means but by this application to the two houses of parliament. It appeared to him, that it was much better at once to allow the ministers to act upon their own responsibility, until the deficiency in the royal authority is filled up. It would be almost impossible for the two houses of parliament to interfere directly in every issue of public money for the services of the state. If that were to be attempted, there must every week or two be conferences between the two houses, and there would be repeated and endless debates on every particular issue. He thought, therefore, that it would be much better to empower the lords of the treasury to grant the proper warrants during the time that the royal authority remains unsupplied. He should therefore move, "1st, That it was necessary, under the urgency of the present conjuncture, that during the time that the exercise of the royal authority is suspended, the various sums of money granted by parlia-

ment for the navy, army, and ordnance, and specifically appropriated to those purposes, should be issued and supplied. 2dly, That it was expedient, for that purpose, that the lords of the treasury should issue their warrants to the auditor and other officers of the exchequer. And 3dly, That the said auditor and other officers of the exchequer are hereby authorized and commanded to pay and issue from the exchequer the sums of money contained in the said warrants, signed by three or more of the lords of the treasury, as well as in the warrant of the 31st December 1810."

Sir John Sebright conceived that the course pursued by the right honourable gentleman was the best, the wisest, and the manliest course he could have adopted. He would certainly have wished that he had proceeded with greater promptitude to fill up the deficiency in the government. The right honourable gentleman had, in this instance, acted as he conceived to be his duty, without flinching from the responsibility which he had incurred. He could not avoid admiring the fair and manly way in which the right honourable gentleman had stated his case.

Lord Temple and several other members delivered their opinions on this subject. Among these, Mr. Whitbread said he could by no means agree in the resolution. Mr. Larpent had, it seemed, from conscience, refused to issue the certificate. There, then, they came to a stop at once. The chancellor of the exchequer said last night, there was a disposition at first to use the great seal, but the chancellor would not apply it: then recourse was

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\* See Public Papers.

had to a warrant of the treasury; but this would not do either, as it was illegal. He did not mean to impute the least blame to lord Grenville; but he must say, that his opinions in 1788, and which it seemed he still held, had led to this palpable, incurable, irremediable absurdity. His lordship would not issue the money on a treasury warrant, but he would issue it on the order of the two houses. Now he (Mr. Whitbread) denied that any such power existed in the two houses. It was a case of conscience with him, and he would not give it up. Suppose lord Grenville had said nothing about the two houses; suppose he had said that he would issue for nothing but the sign manual; how would the case have been? The responsibility of ministers was very different from that of lord Grenville. If lord Grenville had issued the money on an insufficient order, he would have become a public defaulter to that amount, and his estates would have become liable. In consequence of his opinion of their authority, lord Grenville had thus sent the lords of the treasury to the two houses, for an order, acting under which, he imagined he became irresponsible. In this opinion he could not agree. Suppose the two houses agreed in the resolution, and that some of the inferior officers denied the right, and refused to obey it; how would the matter stand? The house could not turn them out; and thus the whole of the emergencies of the nation must remain unsupplied. To such a state were they reduced by the course proposed by the right honourable gentleman and his friends. How could he remedy it? Why, at once by averting to the mode proposed of addressing the prince to assume the

regency, and thus with the utmost celerity supplying the executive. If this was not done, ministers, after declaring that during the exigency the two houses must have royal power, might then prolong that exigency as long as they chose.

The chancellor of the exchequer rose again, and in an able speech replied to all the arguments which had been used against him. He particularly denied that the address to the regent would obviate their present difficulties; because, if, as Mr. Whitbread said, the two houses had no right to empower the lords of the treasury to obtain money from the exchequer, they certainly could not possess the still greater power of conferring the royal authority.

The question being loudly called for, the several resolutions were put by the chairman, with some amendments proposed by Mr. Wynne—of which latter some were agreed to; and the chairman having left the chair, the report was brought up forthwith and agreed to.

[Ordered that these resolutions be communicated to the lords tomorrow.]

House of lords, Jan. 5.—The earl of Liverpool moved the order of the day, and the resolution from the commons relative to the issue of money was read by the clerk.

The earl of Liverpool, on entering into the discussion of the subject, was desirous of removing an impression that had got abroad, that the object of this measure was to vote money out of the pockets of the people; its object merely was to authorize the issue of money from the exchequer to the public, which had been already voted and appropriated by parliament. This question was brought before the

the two houses in consequence of the necessity of the case, the money being urgently wanted for the public service. Circumstances had arisen which rendered necessary the bringing the present subject before parliament. He was of opinion, that during the incapacity of the sovereign the authority of the crown was vested in the two houses of parliament, with whom it rested to supply the defect in the personal exercise of the royal authority as circumstances might require. This, however, he conceived did not extend, neither would it be fitting or convenient that it should, to the details of the executive government. Those details must rest with the confidential servants of the crown, who were responsible for those measures which it might be necessary for them to adopt for the safety or well-being of the country. In the present instance, it having become necessary to issue money from the exchequer, for the payment of the army, navy, and ordnance, the commissioners of the treasury issued their warrant for the purpose, it being conceived, that under the act of William III. their warrant would be a sufficient authority. But the law officers of the crown having given an opinion to the contrary, his majesty's ministers bowed to that opinion. His lordship concluded, by moving to agree to the resolution, and to add the words "the lords spiritual and temporal."

Lord Grenville said, he, as auditor of the exchequer,—a place which had been supposed by some to be a sinecure, but which was an office of great public trust and superintendence over the issue of public money,—could do no other-wise than refuse to sanction the warrant. His office was not an

office of state, or of political responsibility, but purely ministerial, in which he was bound to act according to law, and in which it would have been contrary to his duty to have been influenced by any other considerations operating upon those who were politically responsible. The inconvenience which rendered the present measure necessary, was solely to be attributed to that delay which had been caused by the conduct of ministers, and which must become a heavy charge against them; nor would it avail them to plead that parliament had sanctioned the delay, and were satisfied with the reasons urged for it, inasmuch as parliament had been deceived by those noble lords in the statements made to it, and the hopes which had been erroneously held out.

In the course of a protracted debate some amendments were moved; but these were negatived, and the resolution was agreed to without any alteration.

House of commons, Jan. 7.—The lords' amendment to the resolution for restricting the regent from making peers, leaving out the words "except such persons as have achieved any services naval or military," was submitted to the consideration of the house. The house agreed to the amendment *nem. con.* without any observation being made.

The chancellor of the exchequer then rose and said, that as the two houses had now agreed on their resolutions, he trusted they would also concur in appointing a committee to attend his royal highness the prince of Wales and her majesty the queen, with the resolutions which the two houses of parliament had agreed to. The committee who were to wait upon the prince

prince should inform him that the two houses of parliament, considering on the means of supplying the deficiency in the royal authority, had resolved to empower his royal highness to take upon himself the office of regent, subject to such limitations and restrictions as appeared to them to be proper in the present circumstances; and they were also to express their hope, that in his regard for his majesty and the nation, his royal highness would take upon himself the weighty and important trust reposed in him, as soon as a bill should be passed for that purpose.

He should also move, that the committee should wait upon the queen, and inform her majesty of the resolutions of the two houses of parliament, confiding to her majesty the care of the royal person, and the management of such parts of the household as was necessary for his comfort; and expressing a hope that her majesty would take upon herself the important trust reposed in her, as soon as a bill should pass for that purpose.

Two resolutions were then proposed to that effect by the chancellor of the exchequer. They were agreed to unanimously, and ordered to be communicated to the lords in a conference.—The house then adjourned.

House of lords, Jan. 8. The earl of Liverpool rose and stated, that their lordships were now arrived at that point of time in their proceedings upon the important business of supplying the existing defect in the exercise of the royal authority, at which they were called upon, in conformity to the precedent on which they had hitherto proceeded, to adopt the means of affixing the great seal to the bill, about to be brought in, enacting the establish-

ment of a regency in the person of his royal highness the prince of Wales. The principle of this measure had been so amply discussed in that house already, that he did not feel it to be his duty to address their lordships at any length upon the subject. He should not, therefore, enter into any arguments on the question, unless something should fall from any noble lord which might require particular notice. It became necessary for him, therefore, only to state, that the resolution he was about to move was strictly conformable with the resolution moved in January 1789, except one variation. On that occasion, the name of his royal highness the duke of York was inserted in the commission; but at the request of his royal highness it was afterwards omitted, so that the commission was passed and made out without his royal highness's name. On the present occasion, recollecting that circumstance, he had felt it his duty to make an application to the princes of the blood on the subject, requesting to know from them whether they had any objections to the insertion of their names in the commission now to be made out. He had received from them an answer, expressive of their wish that their names should be omitted. This commission would be framed accordingly, and would resemble that of 1789; not as it was at first proposed, but as it was passed by the two houses of parliament. Under these circumstances, he would no longer detain their lordships, but should proceed to move, that letters patent be issued, authorizing the affixing the great seal to the bill to be brought in, enacting the establishment of the regency in the person of his royal highness the prince of Wales.

in the king's name, by and with the advice of the lords spiritual and temporal, and commons, in parliament assembled; the form running in the usual terms: After some observations from lord Grey; the resolution was agreed to.

House of commons, Jan. 14.—The lords having requested a conference with the commons; lord Clive and other members went by order of the house to the painted chamber, to meet the managers for the lords. On their return, lord Clive reported to the house that their lordships had passed a resolution for the affixing of the great seal to a commission for opening the parliament in the usual forms.

The chancellor of the exchequer rose to propose to the house to agree to the same resolution; which was agreed to, after some opposition from Mr. Sheridan, who said that when the right honourable gentleman directed his law officers to draw up the instrument, he would order them to commit an act of treason against the constitution.

House of lords, Jan. 15.—The lord chancellor requested the attendance of the house of commons; upon which the speaker and a number of members of the commons appeared at the bar.

The lord chancellor then stated, that forasmuch as certain causes prevented his majesty from conveniently attending parliament in his own person, a commission had issued under his great seal for the opening of the same, which commission they would now hear read.

The clerk then read over the commission, which contained the names of the noble peers on the woolsack, and of lord Aylesford, lord Wellesley, lord Mulgrave, lord Bathurst, and a few others.

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The lord chancellor said, "My lords and gentlemen, in virtue of the commission which has been now read, authorizing the lords therein named to declare the causes of your meeting; and to do in all respects in his majesty's name, we have only to call your attention to the afflicting circumstances of his majesty's indisposition, and to the necessity of making due and suitable provision for the care of his majesty's sacred person, for the maintenance of the royal dignity, and for the exercise of the royal authority, in such manner and to such extent as the exigency of the case may seem to require."

The earl of Liverpool moved, that the speech be again read to their lordships; which was accordingly done. He then moved the customary motions at the opening of a session, respecting the chairman of the committees public and private, and proposed lord Walsingham for that purpose, when not otherwise employed.

After a few words from lord Walsingham the motions were carried *nem diss.*

House of commons, Jan. 15.—The chancellor of the exchequer rose to observe, that in the wording of the resolution which had been agreed to by both houses, for putting the great seal to a commission for opening the parliament, a mistake had taken place, (probably from the error of the clerk,) which made the resolution absolute nonsense. Now, although it might appear irregular to move to rescind a resolution which had been agreed to, yet he thought it was much better to do so, than permit, upon an occasion so important as the present, a resolution to be entered on the journals of parliament, which, in the way it now happened

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to be worded, could not be reconciled to common sense or grammar. The error was quite accidental; but it was of such a nature that it would be a reproach to parliament, if it should pass both houses without observation. The error was this: It stated, "Whereas it was necessary that letters patent should be issued for a commission under the great seal of the united kingdom of Great Britain and Ireland, called Great Britain." Now, whether it was the seal that was to be called Great Britain, or whether it was the united kingdom, it was equally nonsense in both cases. This absurdity had crept in by some accidental omission; but still he thought that it was so great that it was absolutely necessary that it should be corrected. He therefore should move, that the resolution be amended, by striking out the last words "called Great Britain,"—which was agreed to.

The committee being absent at the conference, and no business being actually before the house,

Mr. Sheridan rose and said, that as there was then no business before the house, he hoped he should be excused in mentioning a circumstance which had made a deep impression on the public mind. He alluded to the execution of a convict, at a time when all the usual access to the fountain of mercy was interrupted. This appeared to him a matter of the greatest importance, and he thought it probable that he should find it necessary hereafter to direct the attention of the house particularly to the principle upon which this execution took place, more than to the particular case itself. He rose, then, principally with a view of directing the attention of his majesty's ministers to this subject. He was, at

the same time, ready to acknowledge the attention which a right hon. gentleman (Mr. secretary Ryder) had paid to the letter he wrote to him on Sunday last, upon this subject.

The chancellor of the exchequer was very anxious that no false impressions should go abroad upon this subject. The house would, he trusted, permit him to state, that in the particular case alluded to, the execution had followed the sentence in literal compliance with the strict and express directions of the act of parliament, which appointed the time within which executions were to take place after a conviction for murder. It was necessary for him to state, however, that the judges who tried the convict were in full possession of the power of respiting him if it appeared to them that there was any thing in his case to make this respite proper. Although the ultimate source of mercy was for the present closed, yet all the intermediate channels through which the fountain of mercy was to be appealed to, had still been open to the person convicted, and if a doubt could have been raised of the propriety of the conviction, the execution would probably have been respited. He did not mean now to argue the question, but simply to make a statement which he hoped would prevent the public from being led away by false impressions.

Mr. Sheridan was perfectly aware that the judges had a power of respiting the execution if they had any doubts upon the merits of the case; but in the observations he had made, he wished to leave the merits of this particular case quite out of the question. He would even suppose, for argument sake, that the case was so bad a one that the

the judges could not think proper to recommend to royal mercy; still, it must be recollected, that while the royal authority was in existence, there were other channels through which application could be made for royal mercy. He thought that the right honourable gentleman (Mr. secretary Ryder) had in a very laudable manner exercised the powers he possessed, when he respited the execution of a person convicted in Scotland; but he by no means thought it sufficient in the present case to say that the judges had not recommended the convict. It must be recollected that there were instances in the present reign, of persons condemned for murder, who had been pardoned without any recommendation of the judge who tried them. There was the case of McQuirk, who was found guilty of murdering a man at the time of the Middlesex election; and the case of Kennedy, who was found guilty of murdering a watchman on Westminster-bridge: in both those cases the judges did not recommend, and yet the persons convicted found access to the royal mercy through other channels. It therefore appeared, that the case of individuals was very hard, when they were tried at a time that the usual means of applying to the royal mercy were closed against them.

Mr. secretary Ryder allowed that he had acted differently in the two instances stated by the right honourable gentleman (Mr. Sheridan), and he was perfectly ready to take the full responsibility which attached to him. The two cases were wholly different. In the one case, (that of the person convicted in Scotland,) he had, from the report of the persons concerned in

the prosecution, taken upon himself the responsibility, not of extending the royal mercy, but of suspending the execution of the sentence until the royal authority, with its prerogative of mercy, should be supplied. The other case was, however, totally different. No representation had been made from the prosecutors, no recommendation from the judge, nor any application from the unhappy person who was convicted. The information which he received upon the case was from the recorder, who was the judge that tried it. The recorder had represented to him that there were two other learned judges on the bench at the same time, and that none of them entertained the slightest doubt of the guilt of the prisoner. If they had entertained a doubt, they would have exercised the power which they possessed of respiting the sentence; but they all of them were agreed in considering it as a case of as foul murder as ever was committed in this country. He would therefore submit it to the house, whether in a case of murder, when the judges who tried the case had no doubt of the guilt of the accused, and when no application had been made for mercy by the convict himself, he would have been justified in suspending the regular course of the laws. He must also observe, that in the year 1788, under similar circumstances, persons convicted of murder had been executed within the time prescribed by the law, without any objections having been made in that house.

The chancellor of the exchequer then rose and said, that it now became his duty to bring forward that measure which the house so anxiously expected. After all that



had already been said upon the subject, and the debates which had already taken place in both houses of parliament, he did not think it necessary for him to make any additional observations at present, but should simply content himself with moving, "That leave be given to bring in a bill for the purpose of providing for the due administration of the royal authority, and the care of the royal person during the continuance of his majesty's present malady; as also to provide for the resumption of the royal authority by his majesty upon his restoration to health,"—which was agreed to.

House of commons, Jan. 17.—The chancellor of the exchequer (before the house should proceed to the order of the day for going into a committee on the regency bill) rose, pursuant to his notice, to move the appointment of a secret committee, to examine into and report upon the state of his majesty's privy purse. As he did not apprehend any objection would be made to his motion, he should proceed to move "That a secret committee be appointed to examine into, and to report upon, what payments were ordinarily directed by his majesty to be made out of his privy purse, and also what part of them it would be necessary to provide for during the continuance of his majesty's indisposition."

The motion was agreed to; and after it was ordered that the committee should consist of nine, the following members were nominated by the chancellor of the exchequer, and agreed to by the house.

The chancellor of the exchequer, lord Castlereagh, Mr. secretary Ryder, Mr. Adam, Mr. Ponsonby, Mr. Caning, Mr. She-

ridan, Mr. Bathurst, and Mr. Wilberforce.

Five were ordered to be a quorum.

The chancellor of the exchequer moved the order of the day for going into a committee on the regency bill.

On this bill we cannot pretend to give even a sketch of the arguments used by speakers in both houses, and on opposite sides of the question. The discussions lasted nearly three weeks, and were carried on with great animation; on some of the days the arguments were conducted with much asperity and violence. On the 18th the clauses were discussed and the blanks filled up. On the 21st, when the report of the bill was ordered to be taken into consideration,

Sir F. Burdett vehemently opposed it, declaring that to have a person at the head of affairs who had long been incapable of signing his name to a document without some one to guide his hand; a person long incapable of receiving petitions, of even holding a levee, or discharging the most ordinary functions of his office, and now afflicted with a severe mental malady, was a most mischievous example to the people of this country, while it had a tendency to expose the government to the contempt of foreign powers.

Mr. Lockhart replied.

A discussion then arose on amendments being proposed by the opponents of ministers to several clauses, with a view of divesting the bill of the restraints upon the regent's government; but they were uniformly rejected.

House of lords, Jan. 23.—The lord chancellor this day moved his four resolutions respecting proxies; which

which stated in substance the general right of every noble peer to vote by proxy, except only in such cases where a standing order, or previous determination of their lordships, forbade the use of it; and that, in putting such previous question on their use, peers present in person, and peers present by proxy, had an equal right to give their votes.

Earl Moira conceived the present to be an unnecessary and mischievous question; and should therefore move that the house do now adjourn.

The earls of Rosse and Mansfield supported the resolutions; and the duke of Norfolk and earl Stanhope the amendment. On a division for the latter, the numbers were—Contents 68, Proxies 27—Non-contents 67, Proxies 26—Majority of two against ministers.

In the commons, the same day, the motion for reading the regency bill a third time produced a short discussion. Mr. Johnstone objected to the patronage of the household being made independent of the regent. In the other house there were 25 peers belonging to the king's household, and four belonging to her majesty's establishment; and among the commons there were seven members belonging to the king's, and one belonging to the queen's household, all to be under the influence of her majesty. The amount of their salaries was 30,000*l.* per annum, as had been admitted in 1789; and besides this, other patronage in the household, to the extent of 70,000*l.* per annum, would be placed in the uncontrolled gift of her majesty. The places too were of great value, some yielding 1,200*l.* others 1,400*l.* others 1,800*l.* per annum; and the whole number of places was 150. Besides which, there was an annual expenditure of 210,000*l.* in the de-

partments of the lord chamberlain, the lord steward, and the master of the horse. He did not think it constitutional to take away such an amount of patronage from the executive government, and place it in hands where it might be turned against the administration of the regent.

Mr. Perceval replied; and the bill was then passed.

House of lords, Jan. 25.—The house resolved itself into a committee on the regency bill.

On the clause respecting the household being read, the marquis of Lansdowne, after stating the grounds of his amendment, moved, that after the words "vesting the care of his majesty's person in the queen, together with the sole direction of such portion of his majesty's household as shall be deemed requisite and suitable for the due attendance on his majesty's sacred person, and the maintenance of his royal dignity," should be inserted, "and as shall be specified in an act of parliament to be hereafter passed; and that, until the passing of such act, no officer of his majesty's household shall be removed; and that if any vacancy shall happen in any office in his majesty's household, it shall not, during such time, be filled up."

The earl of Liverpool hoped that their lordships would not think it advisable to alter the course prescribed by the bill; particularly as, by rendering the officers of the household irremovable by the queen, all objection upon the ground of influence had been done away.

Earl Grey, in a speech of great length, animadverted upon the evasion of the preliminary resolutions; and asked, was the house

prepared to abandon the conditions on which his royal highness the prince of Wales had been induced to accept the awful and weighty trust of government? Could they, after this, call upon that illustrious person for a rigid performance of his duties and obligations? It had been said, (but, he conceived, with very little colour of reason,) that he, as one of those who had formerly been of opinion that the influence of the crown might be diminished without disadvantage, was now inconsistent in opposing an abridgement of it in the person of the regent. He denied the truth of this observation. If the power and influence of the crown were exorbitant, if they did exceed those limits which the constitution dictated and the liberties of the people required, they should be diminished upon a full exposition of their danger, and upon the application of general principles. He could not see or recognise the propriety of curtailing them to serve a partial or a temporary purpose.—

The noble lord concluded with beseeching their lordships to pause before they lent their sanction to a measure so pregnant with evils.

The lord chancellor, in an energetic speech, repelled the marked insinuations which had been thrown out; and declared, that neither the reports of the physicians, nor threats in or out of doors, should operate to prevent his exercising his own judgement, in whatever regarded his interests.

Lord Grenville thought the clause before their lordships so inconsistent with their former resolutions, upon which they had grounded their addresses to the queen and to the prince, that he should feel it to be his duty to vote that the clause shall not stand part of the bill.

Lords Redesdale and Sidmouth

opposed the amendment; which was supported by earl Stanhope and lord Clancarty.

The committee then divided on the motion "that the words of the original clause should stand part of the bill;" when the numbers were—Contents 96—Non-contents 108—Majority against ministers 12.—On the marquis of Lansdowne's amendment; Contents 107—Non-contents 98—Majority against ministers 9.

Jan. 28. The order of the day being read, for taking into consideration the report of the regency bill, the duke of Sussex addressed their lordships at great length, and with much warmth, against the bill.

Lord Grenville moved an amendment to the clause for limiting the period of the restrictions till the 1st of Feb. 1812, by proposing that the word "August 1811" be inserted instead of the word "February."

The lord chancellor corrected a misapprehension of the noble lord, that he was indifferent as to the date of the restrictions from a belief of the speedy recovery of the sovereign. He then adverted to the charge of a noble lord (earl Grey) on a former evening, who, he understood, had accused him of having performed certain acts connected with the office he held in his majesty's name while his sovereign was in an incapable state. He would challenge the most minute inquiry into those transactions. What he did on those occasions, he did in concurrence with, and with the approbation of, all his colleagues; and he would have acted as he did, though he had even differed from every man among them. He would even go further, and he would say, that acting conscientiously, so help him

him God, he could not have acted otherwise than he did. What was the nature of the crime imputed to him? Why this, that he had acted in obedience to his majesty's commands. He would ask the noble earl (Grey) what he would have thought of him, if he had refused to do so; and what kind of crime he would impute to those who disobeyed his majesty's commands? With respect to his majesty's indisposition, he had stated from himself, as from a person ignorant of the medical profession, his confident expectations of his majesty's recovery within a reasonable time. This was a species of disorder as to which he had little confidence in the opinions of physicians. If all the physicians on earth were to tell him that his majesty's recovery would be speedy, he would not believe them. Upon the same grounds, were they to declare that his majesty's recovery would not be speedy, he would be equally incredulous. The restoration of the sovereign to the full exercise of his mental powers depended upon other causes than mere medical aid. In the language of the Scriptures, if it was the pleasure of God that "there should be light" in the royal mind, "let there be light." He would act upon his oath, in despite of the opposition of all the world. His opinion was, so help him God, that there was a most material amendment in his majesty. It was little more than 48 hours since he had an opportunity of ascertaining this improvement in his majesty; and he trusted in God that his gracious master would live many years, to be, as he had always been, the benefactor of his subjects. He should oppose the amendment for many reasons, the principal of which was, that parliament would

not be sitting at the time when the bill now under consideration would expire.

Earl Grey considered the continuance of the restrictions to the extent proposed in the bill, as dangerous to the monarchy. As the noble lord had put a question to him, he would answer it by another; and he would ask the noble and learned lord, what ought to be the punishment of that man, who, when his sovereign was in a state of proved incapacity, notoriously under medical care, and the necessary restraint which his particular malady required, should come down to that house, and declare there was no suspension of the royal authority? What would he think of the person who, under these circumstances, should put the great seal to acts in the name, and as if by the express command, of the sovereign? Let the noble and learned lord answer these questions if he could. Respecting the amendment of his majesty's health, it was impossible the noble lord, in his short interview, could have the means of forming an accurate judgement. Earl Grey then adverted to the evidence which had been given by Dr. Heberden, that his majesty was in a state of mental incapacity from the 12th Feb. 1804 to the 23d April following, during which period he attended on him. In that interval the sign manual was put to various acts which required the royal interposition. He concluded by giving his assent to the noble baron's amendment.

A division on lord Grenville's amendment then took place:—Contents 84, Proxies 38—Non-contents 88, Proxies 51. Majority for ministers 17.—Six other divisions followed, the result of which was, that the amendments made

in the committee, where absentees were not allowed to vote by proxy, were all overruled; and the bill restored to the state in which it came from the commons, with the exception of some verbal alterations.

The bill was passed, and sent to the commons, with a message, desiring their concurrence to the amendments to which they agreed.

Feb. 2. The earl of Liverpool proposed a resolution, authorising certain lords to apply the great seal to a commission for granting the royal assent to the regency bill; which was agreed to.

House of commons, Feb. 4. Subsequently to a conference with the lords, Mr. Dundas appeared at the bar with a resolution of the lords, in which they desired the concurrence of the commons to the following resolution:—"That it is expedient and necessary that letters patent, under the great seal, be issued for the purpose of giving an assent in the king's name to the regency bill."

The chancellor of the exchequer stated, that, in pursuance of the course on which the house had entered, it had now become necessary to consider the best mode of giving the royal sanction to the bill which had passed the two houses; and with this view he should move, that the house do resolve itself into a committee of the whole house on the state of the nation.

Mr. Ponsonby added his protest to those of the hon. members who had spoken against it; and termed the whole of the proceeding a "fraudulent fiction," which defied and trampled upon the constitution.

The Speaker (Mr. Abbot) said, that, after the strong protestations made by gentlemen on this question, and which were so disparaging to

the character of the proceedings adopted by that house, he confessed he could not prevail on himself to give a silent vote on this question. In the earlier stages of these proceedings, he had abstained from offering himself to the notice of the house, because he did not think he could have thrown any new light on the subject, and therefore did not wish to enter generally into the debate. But now the question was brought to such a state, that, from respect to the house, he felt it necessary to give the opinions which occurred to him. First, he would take notice of the assertion made at the first meeting of the house, that it was not to be considered as a house of parliament, and that it was a matter of doubt whether the meeting was legal. He hoped an assertion of that kind would never be heard in that house without due reprobation; and he considered it a most mischievous thing to say that its members were not the lawful representatives of the people. It was most clear, from the reason of the thing, and the usages of the constitution, that when any impediment arose in the exercise of the government, new and extraordinary powers devolved upon the house of commons. It then became the right and the duty of the house to fill up the chasm in the constitution. The task was difficult and hazardous; but, from the peculiar state of public affairs, duties and powers devolved upon the house, which must remove every doubt as to the legality of its proceedings. This course of proceeding was fully justified by precedent. At the time of the Restoration, the two houses of parliament, surrounded as they were by difficulties, did for a time wield the sceptre of the absent monarch,

narch, for the purpose of enabling that monarch to resume his throne. They passed acts, and caused money to be issued for the public service; and all they did then was afterwards confirmed by law. Similar proceedings took place at the Revolution, when the two houses appointed a new king. He therefore felt convinced that the present proceedings were just and right; and that no other could be so effectual for the purposes the two houses had in view. He would now content himself with expressing his approbation of the opinion given twenty-two years ago, by the then speaker of the house. In the course, of these debates, it was agreed on all hands, that the houses had the right of filling up any vacancy in the throne. If the throne was full, the houses could not proceed to elect a second king; but in a state of affairs like the present, where in the very vacancy there was a living monarch, it was the right and duty of the house to provide in the manner recently done, and not by address. The house should take that course which it must have done in the appointment of a regency while the king was in perfect health; and on that ground he thought the great seal might be used as an instrument obedient to the will of parliament, which had the right to command it when there was no other power that could exercise it; for the great seal was not merely an instrument for the use of the king, but one that was to be used for the benefit of the people. He did not think that the rash inconsiderate expressions of fiction, fraud, and forgery, applied to this proceeding, had any foundation in truth; for in the body of the instrument, purporting to come from the king, it was stated to be by

the advice of the privy council; it was made out by responsible ministers, and confirmed and ordered by parliament. At all events, it was justified by the necessity of the case. The house was now arming the regent with a shield that was impenetrable, and with a sword that was irresistible. It was much better that an act should be done which would be contemporaneous, and have all the forms of solemnity, than any proceeding by address. For these reasons he would support the resolution, as a proceeding most beneficial to the country, and most conducive to the security of the monarchy.

Mr. Ponsonby explained; after which, the resolution was carried, and the amendment negatived.

House of lords, Feb. 5.—Another conference took place between their lordships and the commons, which was followed by an announcement that the resolution of Saturday, Feb. 2, had passed the other house. Their lordships afterwards temporarily adjourned; when the lord chancellor, entering in his robes, stated that a commission had issued under the great seal, for giving the royal assent to an act which had passed both houses of parliament. The archbishop of Canterbury, the lord chancellor, earls Camden and Westmoreland, and the duke of Montrose, afterwards took their seats as commissioners for giving the royal assent to the regency bill. The speaker and a number of members of the house of commons being in attendance at the bar, the lord chancellor said:

“ My lords and gentlemen, Inasmuch as for certain causes his majesty cannot conveniently be present here this day, a commission has issued under the great seal,

to us and other lords directed, re-  
siting the letters patent of the 15th  
January for opening and holding  
this present parliament, and the  
passing of an act agreed upon by  
both houses, and notifying the royal  
assent to the said act.

The commission having been  
read, the lord chancellor declared,  
that in obedience to the commands,  
and by virtue of the powers vested  
in the commissioners, they gave his  
majesty's royal assent to the said  
act.

### CHAPTER III.

*Meeting of Parliament in due Form—Abstract of the Regent's Speech—Debate on the Earl of Aberdeen's Motion on the Address—Debate in the House of Commons on the same Subject—Mr. Whitbread's Notice of a Motion on His Majesty's Health—Notices by Sir Samuel Romilly—Mr. Huskisson's Speech on the Report of the Address—Debate on the Chancellor of the Exchequer's Motion on a Committee of Supply—Appeal in the House of Lords on the Copy-right of Burns's Poems—Debate on Lord Moira's Motion on Mr. Pole's Letter—Lord Redesdale's Bills with respect to Arrests and Imprisonment for Debt—Sir Samuel Romilly's Motion on capital Punishments—Notice of Lord Folkestone with respect to Ex-officio Informations—Committee of Supply—Chancellor of the Exchequer on the Regent's Household—Mr. Creevy's Motion on East India Affairs—Sir Samuel Romilly on the Criminal Code—Debate on Mr. Pole's Letter.*

**A**FTER the two houses had agreed upon the modes and restrictions, and had passed the act for vesting the prince of Wales with the powers necessary, in their opinion, for exercising the office of regent, his royal highness took the oaths prescribed, before the privy-council, and from that instant became the representative of the sovereign. He had, previously to the performance of this ceremony, informed the ministry that no change would, for the present at least, take place in the cabinet; and in intimating these his royal intentions, he in a very candid manner declared the grounds on which his resolution was formed, viz. his affection for the king his father, his wish that he might speedily resume the reins of government, and that

by no act of his should the return be made in the least degree inconvenient. A day was now announced for the opening of parliament in due form, which was done on the 12th of February, by commission, and, in his name, the persons appointed as the commissioners delivered the speech which contained the unfeigned sorrow of the regent for the cause which called them together in this unusual manner; his confidence in their support; and his determination to act, as far as he was able, with the powers with which he had been invested, for the benefit of the country. The successes in the defence of Sicily; the affairs in Spain and Portugal; discussions with the United States of America, were touched upon; and having informed the commons that

that the accounts of the year would be laid before them, and that he depended on their liberality for the supplies of the year, the speech closed with the anxious wish of the regent to restore as soon as possible his delegated power to the sovereign, whose calamity was so sensibly felt by the nation, but by none more than himself. An address was moved in the house of lords by

The earl of Aberdeen, who, after lamenting the heavy calamity which had befallen his majesty, said he had no doubt that every noble lord viewed with the greatest satisfaction the wisdom, the judgement, and the moderation which had been displayed by his royal highness throughout the whole of this important transaction. Every one, said the noble earl, must approve the principles on which he had acted in this unfortunate emergency; and the merits of his conduct, in the sacrifices he had thought proper to make, contrary to his known opinions and feelings, could not fail to be duly appreciated by that house, and by the whole nation. Fortunately for the affairs of the country, the hopes of the restoration of his majesty's health were at present high, and were improving from day to day. Should the recovery of his majesty be yet unhappily retarded; should Providence still be deaf to the wishes and the prayers of the people, and of the prince; should it prove unlikely that the king could soon resume the exercise of his royal authority, (how that authority had hitherto been exercised, the experienced blessings of a reign of more than fifty years could be appealed to, and could best evince!) then there would be a great consolation to their lordships and to the nation, arising

from the reflection, that there was a successor to his majesty, who had most sincerely at heart the public good, who placed the general benefit above his own personal wishes and feelings, and who regulated his public conduct upon principles that must ensure universal public approbation and respect. On such a gratifying topic he might easily expatiate, as it afforded him an ample field of panegyric; but he felt that such an attempt was rendered totally superfluous by the opinions and feeling entertained by all. Here, his lordship said, he might come to an end; but that it was the general practice on such occasions to take some view of our situation, as shown in the various topics mentioned in the speech. The most prominent of its leading features was that which related to the affairs of the peninsula. With regard to the state of affairs in Spain, he admitted that the appearance of matters was chequered; but there were, notwithstanding, in that country, many circumstances that kept alive hope. The high and gallant spirit of the Spanish nation still existed; the determined hatred they bore to their invaders continued in undiminished vigour; the ardent desire of maintaining their liberty remained in unabated force. The sacred flame of liberty and independence had been, it was true, partially obscured, but it still continued to burn; and he hoped and believed it was never to be extinguished by the oppressions of the enemy. Notwithstanding all the exertions of that enemy, his attempts had hitherto proved unsuccessful against the city of Cadiz, which, as well as that of Ceuta, was garrisoned by a British force. In this respect, then, there were considerable grounds of satisfaction. With



With regard to Portugal, the character of the war in that country was of a much greater magnitude, and of a much stronger complexion. It gave us great reason for congratulating ourselves on the events that had passed, and afforded us many grounds of hope for those which were to come. What had already occurred there, had been of the greatest advantage to the common cause, and had done the highest credit to our gallant army, and to its brave and skilful commander. Having spoken much at large on this subject, he referred to the pending discussions and negotiations with the United States of America, and the wishes so strongly expressed by the prince regent of their successful issue. Deficient as he must necessarily be of information respecting the actual state of those discussions, it would be impossible for him to speak of them otherwise than generally; but he must take that opportunity of stating how deep and sincere was his regret that any thing should have occurred to cause them to continue for so long a period, and so far to delay an amicable adjustment—his regret, that two nations, who ought, from so many interesting circumstances, to be united in their friendship, should have spent so much time in discussions on topics which separated their mutual interests and dispositions. He was perfectly sure, that the noble marquis, to whose hands was intrusted that department of the public service, was the last person who needed to be told, that if he brought the discussions between this country and America to a successful termination, and to a state of permanent friendship and amity, he would perform for his country as great a service as his gallant relation could

achieve by another glorious conquest in the field.—There was another topic of very considerable moment, and particularly in the present state of the public affairs, on which, though it was not touched upon in the speech, he should take the opportunity of saying a very few words. His lordship here alluded to the state of Ireland, and the question of the catholic claims. These claims had been considered before by the greatest authorities of the times, who had certainly expressed their opinions in favour of them; especially he felt himself influenced by the sentiments of that immortal statesman, now no more, who had endeavoured to settle that important question; but who forbore, from reasons of the highest moment, to press the subject in parliament. Whenever that subject was taken up, he trusted it would be in the spirit of conciliation, moderation, and liberality: but he must particularly hope, that in the present state of public affairs, it would appear advisable to every noble lord not to stir this delicate question. After various other observations, the noble earl concluded by moving an humble address to his royal highness the prince regent, conformable to the various topics of the speech, with the introduction of the condolence of the house on the lamented demise of her royal highness the princess Amelia.

Lord Eliot rose to second the address which had been moved by his noble friend. His lordship paid the strongest tributes of approbation to the conduct of the prince regent throughout all the proceedings upon this delicate and interesting business, and particularly in the part he had acted since his establishment in the regency in the  
name

name of his royal father. His lordship went over the different leading points of the speech, expressing his approbation of the sentiments conveyed in each of those public exertions noticed in them, and his gratification at the prosperous condition of the revenue. The last part of the speech, in which the prince regent declared the recovery of his majesty, as soon as it pleased the Divine mercy, to be the warmest wish of his heart, the noble lord said, he could not consider as merely the speech of the ministers of the regent, but as the expressions of the regent himself. They afforded him the highest pleasure, and did that illustrious personage the greatest honour.

Earl Grosvenor said, that he had come down to the house that night hoping to be able to support the address; but now having heard it, and the speeches of the noble mover and seconder, he must say, there were parts of it which could not meet with his concurrence. On the sentiments of affection and respect towards his majesty, which were conveyed in the address, there could be but one opinion; and their lordships, as well as the country at large, must rejoice in what was stated with regard to the financial prosperity of the kingdom. But he confessed it was with considerable surprise that he had heard their lordships called upon to support the present ministers, as if they were new and untried men; as if they had never heard of their ill-fated expeditions, and above all of the expedition to Walcheren; as if they were men who had not been already tried in the balance, and found wanting. He looked upon the speech as much more objectionable for its numerous omissions than for what it contained. There was

some mention made of the affairs of Spain and Portugal; but there was nothing in it with regard to the internal situation of Ireland—nothing with respect to our relations with the powers on the Baltic—nothing with regard to the affairs of India, which were soon likely to occupy considerable attention—and nothing at all on that most interesting subject, the state of our circulation and paper currency. With regard to the peninsula, he said it was to be maturely weighed, whether the succours which this country was capable of affording were such as would be sufficient to obtain ultimate success; and he was certain that the people would not hesitate at any expenditure, if the cause was likely to prove successful at last: but in the mean time the dangers at home ought to be considered; and that there was such a thing as self-defence, which called for their primary attention. If the reports which he had heard were true, though he trusted they were exaggerated, that Ireland was in a state of ferment, and that families were emigrating from it into England and Wales, from the fear of a new rising; then it behoved their lordships to look at home, and to reflect, whether those efforts that were making for the peninsula were not to be bounded and limited by such considerations as those he had now mentioned.

Lord Grenville said he had to regret that the present address would come up to his royal highness without containing one compliment, without one mark of personal respect; yet, however that was, he believed, that in the feelings of the house, the conduct which his royal highness had observed was above all praise. He had never hazarded so absurd a sentiment

sentiment as that it was not highly desirable that all due assistance should be given to the exertions of the inhabitants of the peninsula in the vindication and maintenance of their independence. No rational man could doubt that the issue of that contest was most deeply interesting to the fate of the civilized world, as well as to the independence of this country. But the real question was, "Is it advisable that the mode of assistance to be pursued by this country, should be to make ourselves principals in the war, by embarking the whole of our disposable force in the issue of such a contest, where our enemy could bring the whole force of the continent of Europe against us?" He did not hesitate to deliver it as his opinion, that in a contest so unequal, the money and resources of the country must be expended with certain loss; for it was impossible to expect success in such a mode; but he must enter his protest against pledging the house to agree to the employment of any additional military force in the peninsula, convinced that it was most dangerous and impolitic so to do. There was one part of the speech of the noble mover with which he cordially concurred, namely, when he expressed a strong hope that the negotiations with America were likely to be successfully terminated. There was hardly any thing preferable, in his mind, to the establishment of cordiality and harmony between the two countries. Opportunities of this sort had already been neglected; but if the present had a happy result, he should most cordially congratulate their lordships and the country upon it.

The earl of Liverpool regretted that the noble baron should have introduced topics which were not

necessarily connected with the subject, and which were calculated to interrupt that unanimity which he was in hopes would have prevailed respecting the address. But the introduction of these topics should create no difference of opinion between him and the noble baron, respecting the conduct of the regent; for which neither the noble baron nor any of his friends could entertain greater admiration than himself. With respect to the feelings and sentiments of that illustrious person, with reference to every part of his conduct, as it was known to the whole world, there could be but one sentiment, which was this—that it was entitled to the unqualified approbation, and the warmest gratitude from the country. He did not calculate upon any opposition to the address. It was the desire of those who drew it up, to present the sense which parliament might be supposed to entertain of his royal highness's regard for the public interests, by accepting the government during the royal indisposition. They also endeavoured, as far as it was practicable, not to introduce any topics in the speech which could possibly give rise to any marked difference of opinion. Differing as he did entirely from the noble baron respecting the policy of the war, he was happy to have an opportunity of agreeing with him on one point—the conduct of the campaign. For the reasons he had stated, he trusted that the noble earl (Grosvenor) would not persevere in his opposition to the address, and by so doing prevent that unanimity which was so desirable at the commencement of every session, and particularly of the present. The paragraph relating to Spain and Portugal, he would again repeat,  
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did not commit the country more than it already was committed, or pledge the noble earl more than he was pledged before. With respect to America, he could not, in the present state of the negotiation with that country, say all he wished. But he had no hesitation in declaring, that government fully appreciated the value of that connexion; that they were disposed to act towards the United States in the most conciliatory manner; and that there was no political object for which they were more anxious than to establish the most full and free commercial intercourse between the two countries: an intercourse, the incalculable advantages of which they both knew from experience. It never was the intention, nor could it have been the policy of the British government to provoke a contest with the United States. The measures which we were compelled to adopt were for the purpose of vindicating and asserting our rights; rights which involved the honour, the security, and the prosperity of the country. If the effects of these measures have incidentally fallen upon the commerce of America, it is not the fault of the British government. It is to be lamented, that innocent parties should suffer by the arrangements which we were compelled to adopt in defence of our honour and interests; but the sense of that honour and those interests would never have allowed any departure from it, or any other course to be taken. After what he had stated, he trusted no serious opposition would be given to the address, which had been framed with a view of precluding the possibility of any marked difference of opinion.

The earl of Radnor supported the address. He approved of the

prominent passages in the speech; but he thought it was rather deficient in the usual compliments to the prince. The question was then put, and the address was carried, *nemine dissente.*

In the house of commons Mr. Milnes rose for the purpose of proposing the address. He should, he said, content himself, by glancing briefly at those topics in it which would of course hereafter become the subject of more mature discussion. The addition to our colonies by the capture of the islands of Bourbon and Amboyna, he was far from thinking inconsiderable. However, he did not mean now to offer as a boast that we had taken much, when we might have almost said before that we had taken every thing. With respect to Sicily, and the fruitless vaunting of the expedition to that country, it might perhaps contain an analogy to the scheme of our own invasion. The defeat of the enemy seemed only to have inspired him with hope; and when his gun-boats were called out on the future occasion for which he was preserving them, no doubt our own shores would exhibit that gallantry which our soldiers had evinced on a foreign one. He now came to the affairs of the peninsula; and there, he could say, without fear of contradiction, that the plans of the enemy were completely frustrated. Comparing the state of Spain now with the state in which it stood at the commencement of the last session, it was plain that we had every thing to hope. The ambition of France was checked, her threats disappointed, and her predictions falsified. The very organ which had before predestined the fall of empires, and too fatally verified its prophecy of ruin,—that very organ,

gan, the *Moniteur* of France, which appeared to have had the gift of inspiration, and the power of decyphering the scroll of futurity, had proved at length its own fallacy in the groundless vaunt that not a single Englishman should quit the peninsula. We had made no such boast; but the absence of boasting was not to be considered as the result of depression. We had no grounds for depression. There was nothing to depress us in the conduct of the campaign, nothing in the battle of Busaco, nothing in the bravery and patriotism of the Portuguese army, animated as they were by their own ardour, and disciplined by the guidance of our officers. Portugal, then, offered every hope, and surely Spain was not the subject of despair,—Spain, which had made such noble efforts when her treasure was absolutely in the hands of her enemy, and her legislature even at this moment blockaded by his armies. This hope, cheering as was the prospect it held out to all, ought to be a subject of congratulation, not only to the country, but to the administration: it justified their views and their measures, and rescued them from a serious weight of responsibility. No doubt, in such a struggle, Spain must have suffered, but there was as little doubt that France had also suffered deeply. If, indeed, he was asked, in what campaign the enemy had lost most, he should point to the present. Perhaps it would not be in his power to offer the distinct and precise documents for his assertion; but still, from general reasoning and particular data, it would be found that France had poured into the Pyrenees no less than 650,000 men. In such a contest as we were engaged in, some

instances of partial failure even in our maritime exertions, where we were most successful, must be looked for. But these were natural, and we must be prepared for them: we must not, at all events, allow them to cloud the prospect of our generally prosperous situation: we must not suffer them to destroy all confidence in the promise which futurity afforded us. The chances of our failure were few, the proofs of our success manifest; and it was now, not only our own interest, or the interest of our allies, but the interest of Europe, nay, of the world itself, for which we were contending. No doubt parliament would consider itself bound by every tie to support such a contest.

Mr. Richard Wellesley went over the same ground in a very able speech; and he added, that the safety of the peninsula was good for England. The balance of power was now, perhaps, unattainable; but it was highly important for us, to have, close to France, a great power, strongly hostile to her; and by principle, and by ancient prejudice, strongly leaning to England. He (Mr. W.) would not add any thing to what had been said by his hon. friend (Mr. Milnes) on the subject of Sicily. As to America, there was every proof of the disposition of England to adjust the existing differences in the most friendly manner; but it was to be cautiously provided that the maritime greatness of England should not be made the price of the adjustment. If there was nothing in the aspect of our foreign affairs to excite despondency or despair, there was not more in our domestic situation. If there had been some failures in mercantile speculations, these were scarcely  
more

more than were incidental to the spirit and enterprise of British commerce: and when the house should recollect the heavy calamities of 1796 and 1797, and yet how rapidly public credit rose, and public opulence recovered from the misfortune of the time, it gave the fullest confidence that the late failures would not be felt by the commercial interest of England. Let the British merchant learn to bear the calamities which pressed upon him, when he saw how much more heavily they pressed upon the enemy; when he saw the restrictions on commerce producing not only an ill-will, but a resistance, which in no long time might force the abolition of the anti-commercial decrees.

Mr. Ponsonby on the present occasion had no idea of making any formal opposition to the address. He only wished that his general opinion should not be considered as precluding him from any future opinion on any particular point which might be brought into discussion.

Sir Francis Burdett objected to a practice which had crept in only within these few years, viz. of not acquainting the members of the house with the substance of the speech, before they were called on for their votes upon it. As the practice was now, they were called on suddenly to give their votes on the whole mass of the address, containing, as it did, topics of the most various and the highest importance. No good reason could be assigned for this deviation from the ancient mode. He would move for an adjournment till tomorrow, for the express purpose of taking time to consider the subject. He would not, however, press the motion if it did not meet the approbation of the house.

The not meeting the regent today was to him (sir Francis Burdett) an evident proof of his dissatisfaction with the ministry who had been forced upon him. The regent would not appear in public with them. He would not be seen by the house in company with them. Like the ludicrous scene in the play where Falstaff musters his recruits, and finds upon inspecting them, that they are such ragamuffins, such a pitiful scarecrow set, that he could never march through Coventry at the head of them. Sir Francis Burdett then said, that he was called on for his vote without being given time for consideration. He then concluded, by moving, that the house should adjourn until the following day. This was not seconded.

Mr. Lambe and several other honourable members spoke; and the question was then put upon the address, which was agreed to, and a committee appointed to prepare the same.

Mr. Whitbread gave notice that he should on Monday next bring under the consideration of the house a subject which he had recently had occasion to mention, viz. the state of his majesty's health in 1804. The way in which he should proceed would be, either by moving that a committee be appointed to search the journals of the house of lords, and report to that house what they should find therein relative to the late examination of his majesty's physicians before a committee of the lords, touching the state of his majesty's health in 1804; or by proposing a resolution, praying the lords to communicate so much of such examination to that house. Now that he was on his legs, he should take that opportunity

of asking the right hon. gentleman (the chancellor of the exchequer) whether it was his intention to propose, in the course of the session, any permanent measure as a provision against the recurrence of the calamity with which his majesty had been recently afflicted. For himself he could say, and, he believed, for every gentleman who heard him, that he was firmly of opinion that such a permanent provision was indispensably necessary. Feeling strongly this impression, he was anxious to know whether it was in the contemplation of the right hon. gentleman to bring forward any such measure?

The chancellor of the exchequer replied that he had no such intention.

Mr. Whitbread then gave notice that he should take an early opportunity to bring the matter under the consideration of the house; and felt it right, under the present circumstances, to give this early notice of his intention.

Feb. 13.—Sir Samuel Romilly in the house of commons moved that an address be presented to the prince regent, praying that his royal highness would be graciously pleased to give directions that there be laid upon the table of that house, returns of the number of prisoners, male and female, committed to prison during the assizes for the years 1805, -6, -7, -8, and -9, distinguishing the crimes on charge of which they had been severally committed; and also those convicted of said charges; and of those discharged on proclamations. There was a similar motion for persons committed, discharged, and convicted at the quarter sessions for the same period; which were both agreed to.

Mr. Milnes presented at the bar

the report of the committee on the address to his royal highness the prince regent.

On the question that the report be brought up,

Mr. Hutchinson rose and spoke with much warmth against the address, which he thought should be one rather of condolence than congratulation: while it sincerely deplored the melancholy state of his majesty's health, it should in the most unqualified manner represent to the regent the awful circumstances under which he was called upon to assume the reins of government. It was his solemn conviction that the affairs of this country had now reached that degree of difficulty and danger, at which flattery and falsehood no longer could deceive. Let their conduct be suitable to a period of such awful interest—let them adopt towards the regent the language of truth, not of hypocrisy—tell him of the lamentable incapacity of his ministers—that they possessed neither our confidence, nor that of the public—and that they were capable of suggesting no measures but such as they thought calculated to insure their ill-gotten power, and gratify their miserable ambition. The regent should be reminded, that they commenced their career by affixing an indelible stain on the national character, in their daring violation of the laws of nations, and by blasting the hopes and outraging the feelings of millions of his father's subjects—that they have since weakened and degraded the kingly office—deprived the empire for months of an efficient executive, and have, by their intrigues, shaken the very pillars of the monarchy—that the period is critical—the danger imminent—the national calamities numerous—the

the pressure on the people nearly intolerable—that decisive measures, neither partial nor occasional, can no longer be deferred—neither should they yet abandon the hope of a secure and honourable peace, pledging themselves at the same time to the most vigorous prosecution of the war, should sincere attempts at peace on our part prove ineffectual, expressing their confidence that the resources of the country under sage counsel are equal to meet the exigencies of the moment. Let them assure the regent that they will narrowly watch over the public expenditure, and that to show their sincerity in the cause of general reformation, they were determined to begin by reforming themselves—and above all, to heal, if possible, the rankling wounds of the Irish, who have been uniformly neglected, insulted, and oppressed. They should not omit to declare their gratitude to the regent for accepting the regency under circumstances so embarrassing and distressing.—Mr. Hutchinson concluded a speech of considerable force and animation, by adverting to the total neglect with which the name and interests of Ireland had been treated this some time back in the speeches from the throne. Why was the name of Ireland omitted in every speech? Why such industrious neglect of a brave people, and their unmerited sufferings? He must say, that if the present ministers had one principle to guide their conduct, it was that of contempt for Ireland. When an Irish member rose to demand redress for his injured country, his rising was the signal for a laugh from the treasury bench. An honourable friend of his had met with an instance of such indecent levity no later than

last night. He would rather be the object than the author of such indecency.

Mr. Whitbread and sir Thomas Turton spoke on the same side, and they were ably answered by Mr. Perceval. Some other gentlemen spoke, and the report of the address was agreed to.

Feb. 15.—The chancellor of the exchequer moved the order of the day for going into a committee on the motion that a supply be granted to his majesty.

Mr. Creevey rose to take that opportunity of calling the attention of the house to what he considered an intolerable grievance, in the manner in which grants of public money and money bills were carried through that house. They all knew that grants of public money and redress of grievances formerly went on together. Of late, however, they had got into the habit of voting grants of money and proceeding with money-bills at late hours, and when the house was exhausted with debates, and no discussion could take place. This he allowed was inseparable from the practice of discussing great public questions, which occupied so much of the time of the house during every session. But to whom was it attributable but to the minister, who usually condensed public business within so short a period, that it was impossible to bestow the necessary attention upon every important question? Since the union with Ireland, which added so much to the business of that house, they had much shorter sessions of parliament than previously. The minister, by clothing his grants of public money in ambiguous terms, could contrive to get them voted without objection, and could reserve his desperate cases to the close



of the session, when it would be too late to make any effectual opposition to them. In illustration of this observation, he need only refer to what had happened last session. The bill for granting a million and a half to the East India company, and for the interest of which some taxes must be laid upon the people, passed through no one of its stages previous to the last, before one o'clock in the morning. In one of its stages there were no less than seven notices to precede it, and it was one of fifty orders of the day. The house must see, therefore, that under such circumstances it was impossible it could have been maturely or fully discussed. The last stage took place at an hour earlier than that at which public business commenced usually. He had intended to oppose it; but on coming down to the house at half past four, he was astonished to find that the bill had passed at that hour. He had particularly noticed the members who attended on that occasion, and could take upon him to assert, that they were either directors of the India company or their servants, or directors of the Bank, or persons in office; and that there were not six members of any other description then present. It was an intolerable grievance, he must contend, that they should thus choose their own time, and consult their own convenience, in bringing forward public business, without giving to members of that house an opportunity of delivering their sentiments. He considered it also a great grievance, that the miscellaneous grants were not more distinctly submitted to the notice of the house, so that members might come prepared for the discussion of them.

The chancellor of the exchequer

could not collect from the speech of the honourable gentleman, whether he meant by it to give notice of some motion during the present session: if he were to consider the speech of the honourable gentleman only as a notice, he should not, perhaps, have felt it necessary to comment upon it; but when he reflected upon the angry tone with which he had imputed it as matter of blame to the present government particularly, that ministers had the option of bringing forward public business at the time most convenient for them, he could not forbear making a few observations upon it. The circumstances to which the honourable gentleman had referred, proved that the case was in direct contradiction to his statement. Every honourable gentleman must know, that it was not in the power of ministers to put off the discussion of public business to a late hour, when there could be no opportunity of mature deliberation, but in the power of those gentlemen, who, having given notices of motions, had by the usage of parliament the precedence of the orders of the day. That was the true representation of the case; and it was owing to that cause, that the different stages of the bill to which the hon. member had alluded were proceeded in at the late hour he stated. He concurred with the honourable gentleman as to the inconvenience resulting from this cause, and had it in contemplation to propose to the house an arrangement, which would give on certain days of the week a precedence to orders of the day, and leave on the other days of the week precedence as usual to notices. He had intimated as much last session; and as he did not think there would be much difficulty in forming some such

such arrangement, he should take an early opportunity of proposing it.

Mr. Whitbread concurred in the statement of his honourable friend behind him (Mr. Creevey), which was well worth the attention of the house. He rose, however, not for the purpose of adding to that statement, but in order to put the house upon its guard against any unnecessary innovation as to its established forms and rules of debate. They should take good care, that in endeavouring to remedy one evil they might not fall into one more serious. He was ready, in justice to the right honourable gentleman, to admit, that he had last session intimated his intention to propose some arrangement of the description he had stated that night, of giving to the orders of the day, on certain days of the week, precedence of notices. The house should well weigh the probable or possible consequences of such an arrangement, before they should give it their sanction. He was not inclined to charge the members of parliament of the present day with being more corrupt, more negligent of their duty, more indolent and languid, than the members of former parliaments. They should cautiously adopt any arrangement or innovation which might have the effect of dissolving the house. The precedence which notices hitherto had been suffered to possess, gave an interest to the business of the house, which was sure to procure an adequate attendance. If that interest were to be taken away, they could not be perfectly sure that the routine business of parliament, however important, would insure a proper attendance. According to the practice of parliament of late, a great part of the most important business was huddled

dled together towards the close of the session. If there had been no union with Ireland, the public and private business to be attended to by parliament had been doubled. The duties of parliament ought to be more laborious than at present, if they were to be well performed. And here it was that the blame was altogether imputable to ministers, who put off parliament whilst they had a shilling in the exchequer; and who never thought of assembling it until they could no longer go without money. In the language of the times, they put off the evil day as long as they could. He could well remember when, before the union with Ireland, if parliament was not assembled before Christmas, gentlemen were apt to complain. Of late years, it had been the practice not to assemble parliament till after the queen's birth-day. There had been, indeed, a few exceptions. If it had not been for the indisposition of the king, no man, he was convinced, could suppose that parliament would have been convened at the period it met before the end of last year. If the business of parliament had so considerably increased, the duration of the sessions ought to be proportionably lengthened. He had himself experienced, what had also been felt by other honourable members, an indisposition on the part of the house—disgusted, no doubt, and exhausted by previous debates—to afford an attentive hearing on the most important business so huddled together at the end of the session. If the house met now later than formerly, they should sit longer. There was no necessity for the ministers to advise his majesty to prorogue parliament by any particular day. He should also add, that

insufficient attention was paid to Irish subjects. insomuch that it was almost impossible for any honourable member to obtain a hearing when offering to speak upon them. He had only one more observation to make, and that was, that he should most strongly protest against any innovation that would give precedence to orders of the day before notices.

Mr. Wynne said, that this charge had not been made against any particular administration; but that the general complaint was, that business of the first consequence was deferred to the last moment, at which time it must of necessity pass, even though it should be without discussion.

The house then resolved itself into the committee of supply.—On the motion of the chancellor of the exchequer, a supply was granted.

House of lords, Feb. 18.—An appeal from the court of session in Scotland was proceeded in relative to the copy-right of Burns's Poems. The appellants, Messrs. Cadell and Davies, and Mr. Creech, of Edinburgh, having applied to the court of session for an interdict to prevent Mr. Robertson, of Edinburgh, from publishing those poems, and damages, on the ground that they possessed the copy-right, were refused, on the ground that the work was not entered at Stationers' Hall. Mr. Adam was heard for the appellants; and the lord chancellor having stated the law upon the subject to be clear, the decree of the court of session was ordered to be reversed, and an interdict to be issued.

The earl of Moira said he should be without excuse in the eyes of the country, if he did not call the attention of the house to

the subject to which he was going to advert. Their lordships would no doubt all anticipate that he was about to allude to the very extraordinary measure which had recently been adopted in Ireland, in issuing circular letters to the magistrates, to prevent the meetings of the catholics. Every one who had lived in any society in this metropolis, must recollect the surprise which was occasioned by the sudden departure of Mr. secretary Pole to Ireland, and the various motives which were assigned for that sudden journey. The motive of that journey now appeared, in the measure to which he had alluded—a measure, than which it was difficult to conceive any one more impolitic or more irritating to the feelings of three-fourths of the population of Ireland. He was certain that the previous sanction of the prince regent had not been obtained to this measure—and he would give ministers their choice of one out of two branches of an alternative, either of which must tend most strongly to the condemnation of their conduct.—Either at the time of the departure of Mr. secretary Pole for Ireland, they were certain of being continued in office by the prince regent, or they were not. If they were, they acted most unfitly and improperly (to use no stronger terms), in taking the advantage of the period before the regent was sworn in, to resort to such a measure without having the decency to consult his royal highness upon a measure which so deeply implicated his government. If they were not certain of being continued in office, and expected that they would not be allowed to remain the ministers of the regent, then he could only compare their conduct to that of incendiaries,

incendiaries, who set fire to the house they were about to leave, because they were not to be allowed to inhabit it. In the absence of information upon the subject, it was difficult to understand what had led to the adoption of a measure, which under the peculiar circumstances of the moment was so extremely impolitic. He did not mean to say that there might not be a justification for the measure to which he had alluded, but at present no information had been given to show what had led to its adoption. He trusted that such information would be given, and at all events it was fitting that the circular letter to the magistrates of Ireland should be laid before the house; for which document his lordship concluded by moving.

The earl of Liverpool said he felt very little embarrassment at the alternative put by the noble lord for the choice of ministers, the facts being—that the journey of Mr. secretary Pole to Ireland had no connexion with this measure, or any circumstances supposed to be connected with it; that no previous sanction or instructions from hence were given for the measure; and that the ministers of his royal highness the prince regent were wholly ignorant, until Thursday night, that such a measure had been resorted to. From the information, however, transmitted from Ireland, although it was not so complete as might have been wished, yet he was satisfied that the government of Ireland were fully justified in the steps they had taken, it appearing that there was a deliberate and systematic plan for the violation of the law; to prevent which violation of the law, by carrying this plan into effect, the measure alluded to had been adopted.

He had no objection to the motion of the noble lord, provided another document was also laid before the house, namely, the circular letter issued by the secretary of the catholic committee at Dublin.

The marquis of Lansdowne was glad that no sanction or instructions had been given by ministers for this measure, and felt a satisfaction greater than he could express, with a view to the future hopes of Ireland, at learning that this measure had not emanated from the prince regent.

Earl Darnley considered the very ignorance of the extraordinary order of Mr. secretary Pole, avowed by the noble secretary, a most full and decided crimination of the government to which he belonged.

The earl of Limerick rose for the purpose of pronouncing his decided condemnation of the statements advanced by the noble earl (Moir).

Lord Holland observed that it was fortunate his noble and gallant friend (earl of Moira) had not gone into a discussion of those details of oppression with which the Irish parliament were chargeable; because, had he done so, the house, from the avowal of the noble earl who last addressed them, would have been engaged in a debate wholly unconnected with the subject now before it. Whatever was his opinion of the character of the proceedings of that legislature, it was unnecessary for him then to declare—that character he would leave to history to appreciate—and in referring it to history, sure he was, that as to many parts of the conduct of that parliament, he could not consign it to severer chastisement. Having said thus much in answer to the speech of

the noble earl (Limerick), he also begged leave to express his satisfaction at the answer given by the noble secretary, namely, that the government of this country were ignorant of the issuing of this extraordinary order—and that they were not in possession of any previous knowledge of the state of Ireland which could have rendered such a line of public proceeding necessary. That answer, given to his noble friend's question, he had heard certainly with satisfaction, but without surprise; for, though not bred or disciplined to place any considerable degree of confidence in the administration of the noble lords opposite, he could hardly bring himself to believe that any description of men in this country could have practised such abominable duplicity and deceit, as to have advised such a course of proceeding in Ireland as the Irish government had now adopted, without having first communicated such intention to his royal highness the prince regent, and stated the necessity and determination in the regent's speech to both houses of parliament.

The earl of Ross said, that he felt convinced that there was no intention on the part of the Irish government, in enforcing the provisions of the convention act, to prevent the catholics from petitioning parliament. It was to be considered, that there was a deputation of ten delegates from every county, and some from the principal cities of Ireland, about to assemble in Dublin, to the amount of 358 members, holding as it were another parliament, and convened to do—we knew not what. He asked if government could go on if such assemblies could be held, no matter for what objects? He

was far from being disposed to think harshly of the catholic body; but the Irish government must be supported. Besides, he was by no means sure that the enforcement of this act would create amongst the Irish the general sensation which seemed to be apprehended. It was to be recollected, that there was a great difference of opinion in the assembly of the delegates.

The earl of Buckinghamshire and other noble lords spoke on the subject; after which, the motion was put and carried; and also that for the circular letter to the secretary of the catholic committee adverted to by the earl of Liverpool.

Lord Redesdale called the attention of the house to the bills which he had submitted to their lordships in the course of the last session. The first was to enlarge the sum for which persons could be arrested on *mere* process; the second was to establish a permanent provision for the relief of insolvent debtors; and the third had for its object to provide for the recovery of small debts, upon the constitutional principle of legal practice, namely, the intervention of a jury. The first had passed that house, but had been sent to the other so late that it could not be passed there before the prorogation. The second had not passed that house; and the third had been merely offered to their consideration. In the hopes that this last would be brought forward in another place, where it might be more convenient that it should commence, he would not at present press it upon the attention of their lordships. With respect to the bill for the relief of insolvent debtors, he would now submit that to the house. He had to a certain extent new modelled it, but not very materially.

serially. His object was to establish a single officer—to give him a court—and intrust him with the administration of the whole law on that subject. Some might differ with him as to the number; but the more he considered the subject, the more he was inclined to prefer a single judge. But as there might be grounds for appeal, he proposed that there should be a court of appeal for this single purpose, consisting of one judge from each of the courts of king's bench, common pleas, and exchequer, to be appointed by these courts themselves, which would secure the attention to the convenience of the courts, and to the due execution of this duty, while it would keep the whole within the principles of the established law. The bill, he stated, had been framed upon the various bills brought forward for the relief of insolvent debtors, adopting the principle of the law of *cessio bonorum* as it was established in Scotland, Holland, and other places. He moved the first reading of the bill to enlarge the sum for which a person could be arrested for debt on *mesne* process.

Lord Moira could not allow this opportunity to pass without remarking how much the country was indebted to the noble and learned lord for the attention he had paid to this subject. Certain he was that there was no other subject upon which his talents and industry could be employed more important to the interests of the community, and he was happy that he had called the attention of the house to it in this early period of the session.

Lord Holland also congratulated the house, that this measure had been so early brought forward—for he was convinced there was nothing so disgraceful to the justice

of this country as the state of the law between creditor and debtor. Some circumstances had come to his own knowledge—circumstances which, perhaps, he might at a future period bring before the house; so abominable—so revolting to the common feelings of justice and humanity, that when their lordships were fully aware of them, it was impossible they could resist the conclusion, that something must be done. The subject was most important, too, as connected with the state of the prisons; persons being sometimes, in direct opposition to the principle of the *habeas corpus* act and of *gaol delivery*, confined in the houses of correction here, which were not liable to the *gaol delivery*, and remaining there from month to month, and (for any thing that was known,) from year to year, without the benefit of investigation and trial. He was most happy that it had fallen to the lot of the noble and learned lord to bring forward these bills. If the thing could have been effected by great knowledge, by powerful eloquence, and active humanity, it would have been done long ago by the efforts of his noble friend near him (earl Moira). But he most cordially agreed with the noble and learned lord in this, although he differed from him on most subjects, and he rejoiced that the matter had fallen into his hands. That noble and learned lord had certainly not been subjected to the imputation of a love of innovation, which had often been the answer to the most important improvements, when coming from a different quarter. He hoped, that to him at least no such objection would be made, and that at last the measure would succeed. The subject was one of the  
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very greatest importance; and there was no way in which their lordships could raise themselves to such an advantageous height in public opinion, as by a strict attention to measures calculated to promote the welfare and happiness of the community. He hoped the noble and learned lord would persevere, and not suffer himself to be decoyed by others to put off this measure, under any pretence, to the close of the session, when it might possibly be for the present entirely defeated.

The bills relative to arrests, and to the relief of insolvent debtors, were then read a first time, and ordered to be printed. They were afterwards carried through the two houses, and passed.

House of commons, Feb. 18.—Sir S. Romilly gave notice that he should on Thursday submit to the consideration of the house a proposition on the subject of capital punishments; also on the subject of penitentiary houses. Sir Samuel then moved, that an humble address be presented to his royal highness the prince regent, requesting that he would be pleased to order that there be laid before the house an account of the number of prisoners ordered to be transported to New South Wales since the last return.—Ordered.

Lord Folkestone gave notice, that he should on an early day move that there be laid before the house the number of informations filed *ex-officio* by the attorney-general since the date of the act authorising that mode of proceeding. He had come down to the house day after day, expecting to have seen the attorney-general in his place, intending to have put to him a question as to a person who had been lately convicted of buying

guineas at more than the usual rate or value; and to this subject also he should take an early opportunity of calling the attention of the house.

Feb. 20.—Mr. Yorke said he rose for the purpose of moving what were usually termed the wear and tear estimates for the navy. As those estimates were the same as last year, he should not enter into any detail.

Mr. R. Ward and Mr. Whitbread each said a few words; after which the chairman put the question on the several following votes, which were respectively agreed to; viz. 3,345,075*l.* for the wages of seamen and marines.—4,453,000*l.* for victualling.—3,675,000*l.* for wear and tear.—659,756*l.* for ordnance for the sea service.

Lord Palmerstone (secretary at war) then moved the following sums on account of the army, which were severally agreed to; viz. — 3,000,000*l.* for the land forces.—3,000,000*l.* for the militia.

Mr. R. Wharton then moved the following sums to pay off exchequer bills issued in the course of last year; viz.—10,500,000*l.*—1,500,000*l.*—8,500,000*l.*—and 107,650*l.* to pay off annuities granted during the same period.

Feb. 21. The chancellor of the exchequer rose for the purpose of adverting to a former notice he had given respecting the household to be provided for his royal highness the prince regent. It might be recollected, that in the course of the discussions on the regency bill, he had alluded to the course which, in his opinion, would be the most eligible for the house to pursue in the establishment of the regent's household. He had accordingly been preparing to submit a plan which, by the temporary reduction of the office

office of the chamberlain, would enable the country to provide and maintain such an establishment at the low rate of 12 or 15,000*l*. When his royal highness was pleased to signify his determination of continuing in the service of the crown the persons then carrying on the government, he (Mr. Perceval) felt that it became his duty to lay the plan of a household before the regent; but upon an audience with his royal highness, he learned that his royal highness remained fixed in a perfect determination of adhering to his former sentiments upon that subject. For the nature of those sentiments his royal highness was pleased to refer him to a learned and honourable friend of his opposite (Mr. Adam). By him he had been informed, that from the moment that he (Mr. Perceval) had first communicated his intention respecting the course meant to be pursued by him in regard to the household, his royal highness had communicated to that learned gentleman his determination not to add to the burthens of the people by accepting of any addition to his public state as regent of the united kingdom. He was satisfied that neither that house nor the public would have felt any indisposition in contributing to the expense of the due support of the state and dignity of the prince regent. At the same time, the country would not be backward in duly acknowledging this instance of self-denial on the part of the prince; and his royal highness could not fail to find that such a refusal will, in point of fact, throw round his character and station more real splendour than could be borrowed from any pageantry, however brilliant: that external magnificence, calculated to dazzle the vulgar gaze, and catch the

giddy admiration of the populace, the prince did not hesitate to sacrifice to those solid good qualities which have long since won, and promise to secure to him, the affections of the people. Having stated these circumstances to the house, it was of course scarcely necessary for him to add, that it was not now his intention to submit to them any such plan; and he had now only to call upon the learned gentleman to whom he had alluded, to corroborate such part of the statement as his knowledge enabled him to say was accurate, or to correct any misstatement into which he might have inadvertently fallen.

Mr. Adam accordingly rose and confirmed the statement of the right honourable gentleman, which he pronounced to be so accurate as to relieve him from troubling the house with more than his confirmation of it. He said, that previous to the day on which the right honourable gentleman moved his motion in that house, his royal highness had delivered into his hands copies of the letters from that right honourable gentleman to the prince, and of the prince's answer, accompanied with written instructions to him, (Mr. Adam,) requiring him, in case any thing should be said relative to the establishment of an additional household for the prince, to state on behalf of the prince, that it was his royal highness's wish to discharge the duties of a temporary regency without adding unnecessarily to the burthens of the people—and that he must therefore decline the intended establishment: such he knew to have been his royal highness's determination in the question of a temporary regency. In case, however, of such circumstances occurring as might lead to a permanent regency, he conceived



conceived that the question would then be open anew to the consideration of his royal highness.

The chancellor of the exchequer, pursuant to notice, moved for the appointment of a secret committee to inquire into the circumstances which led to the detention of — Colville, now a prisoner in the house of correction, Coldbath-fields. The motion was agreed to, and the secret committee formed thus:— Mr. Robert Dundas, sir Francis Burdett, Mr. Charles Long, Mr. Williams Wynne, Mr. Wilberforce, Mr. Leicester, sir Arthur Pigott, lord Folkestone, Mr. Bulmer, Mr. George Ellis, and Mr. Lambie.

Mr. Creevey rose, pursuant to notice, to move for papers relative to transactions, both civil and military, in the East Indies. He had last year moved for several documents respecting some extraordinary trials in the courts of law at Madras, in the years 1808-9, to which no return had been made. He now proposed to revive his former motions, and also to call for new documents. It was necessary especially that the military concerns to which he alluded should be distinctly elucidated, that it might be clearly seen where, if any where, blame ought to rest. In the first place, any one might see that the suspension of major Bowles, on account of his obedience to the commands of his superior officers, was the immediate cause of the agitation which prevails in the Madras army. This case had recently been considered by the Indian government here; and the consequence of the inquiry was, that major Bowles was restored. Such being the result of the inquiry, the obvious inference was, that the conduct of sir G. Barlow could not have been regarded as in every instance cor-

rect. The next prominent feature in these transactions was, that by an order of sir George Barlow of the 1st of May, certain officers had been suspended upon an *ex-parte* inquiry. They, too, had appealed to the directors. He would abstain from calling for any document on this point for the present, reserving to himself the liberty of proceeding hereafter according to circumstances. The only other subject connected with the military transactions to which he would that night call the attention of the house, was the trial of several officers by courts-martial. After the suppression of this unfortunate rebellion, the government of Madras selected for trial by court-martial colonels Bell, Storey, and Duncan —and as the opinions of the courts-martial were so much at variance with those of the government, it was proper that the house should have documents to enable it to decide upon that question. Thus much relative to the military transactions in the presidency of Madras. With regard to the other case, certain trials at law, which took place at Madras in 1808-9, he must again say, that they were of a most extraordinary nature, and ought not to be passed over without inquiry and explanation. He had before moved for documents on this subject; but as it was one of great importance, he would shortly state the outlines of the case as they had come to his knowledge. It was well known that a certain sum (five millions) had been set aside by the East India company to answer the just and legal claims upon the nabob of Arcot. Claims to the amount of thirty millions were preferred upon this five millions, and suspicions were naturally entertained that vast numbers of them were.

were false. Commissioners were appointed to examine and ascertain the real and *bond fide* debts. A certain number of gentlemen at Madras, interested in this business, being *bond fide* creditors, and acting in behalf of *bond fide* creditors, instituted a prosecution against a native of the name of Reddy Row, for forging one bond, and for a conspiracy with respect to another cash transaction, involving the foulest perjury. Reddy Row was convicted by juries of Englishmen, upon all the charges. But the extraordinary part of the transaction was, that sir George Barlow identified himself with Reddy Row, and directed notice to be given Mr. Maitland, a justice of the peace, to Mr. Roebuck, an officer high in the government service, and several others, individuals of the first respectability, prosecuting in behalf of the *bond fide* creditors, that if they presumed to interfere they would subject themselves to the serious displeasure of the government. Authority was besides given to the advocate-general, Mr. Anstruther, to defend this Reddy Row, and an order was made to defray his expenses from the funds destined for the payment of the real creditors. The first thing done by sir G. Barlow, in execution of his threat, was to remove Mr. Roebuck (who had been thirty-six years in the service of the company) from Madras and his connexions, without stating any grounds for this proceeding, though earnestly applied to for that purpose. He was removed at the risk of his life to a distance of 500 miles, to a most unwholesome situation, with less than half his former emolument, and in a few weeks after Mr. Roebuck in fact died. The magistrate who committed Reddy Row was also removed from his of-

fice: a third was sent to England against law; and from each of the juries who convicted Reddy Row, some were selected and sent to a distance of hundreds of miles, with far inferior situations to those they held before, and the duties of which they were incompetent to discharge. Sir ——— Strange, the judge at Madras, seconded the efforts of the governor. He gave it as his opinion, that the commissioners might still pay the bond, though found to be a forgery, and sent to this country a recommendation of pardon for Reddy Row. The pardon was granted; but in its voyage out to India, fresh matter had come out, conclusive as to the character and objects of this gentleman, who at last thought proper to relieve the anxiety of his friends by administering to himself a dose of poison. If the facts bore him out in this statement, he would ask if ever there was a stronger case before the house? It was needless for him at this time to mention what further proceedings might be requisite; but he would now say, that if these facts bore him out, he would move for the recall of sir George Barlow, as necessary to clear the character of the nation. He concluded by moving for several papers relative to these transactions, to the production of which he understood there was no objection.

Mr. Charles Grant never heard a more aggravated statement of any case than that now laid before the house. When the papers were produced, it would appear how very much the circumstances had been distorted. He would in a few words state his view of it. It was well known, that for 30 or 40 years back the Arcot debts had been a source of corruption. When the company took the territory into its hands,

hands, it was thought but justice to ascertain what claims there were upon it; and a commission was appointed; a branch of which sat here, and another at Madras. Before the arrival of sir G. Barlow at Madras, a large manufacture of forged bonds had been carried on, and the bonds were publicly sold. The law officers of the commission were directed to make inquiries, with a view to check this evil; and on a case of forgery, by one Conpajah Brahmince, a native, notorious for his want of character, a prosecution was determined upon; and an application made to the government, after the arrival of sir George Barlow, for the assistance of its law officers to carry on the prosecution. This was granted; upon which, Brahmince turned round, and commenced a prosecution against Reddy Row, who had been thirty years a servant of the company, and of whose assistance the commissioners had availed themselves. Mr. Maitland, himself a creditor, took the evidence against Reddy Row, and refused to take it in the other case. — Under these circumstances, the government, thinking the prosecution against Reddy Row to have originated in malicious, or interested motives, ordered him to be supported. The whole settlement was divided into parties respecting this business; and by one of them the conduct of the government would of course be represented in its very worst light. Mr. Roebuck had been removed not only for this interference, but for his factious conduct in other respects. The place to which he was removed was on the sea-coast, and very healthy; but he was an old man, above sixty, and in bad health before his removal, which accounted for his death, without ascribing any thing

to the effects of a noxious climate. Maitland had been removed, because unworthy of office, as would appear from the papers when laid before the house. The government had no object but to support the cause of justice against faction. With regard to courts of law, the directors had taken no notice of any thing, except the conduct of its own servants. As to the death of Reddy Row, from whatever cause it arose, it was entirely unconnected with the case of the bonds. The commissioners had reason not to be satisfied with him, and dismissed him, in the exercise of their discretion. He only requested that the house would suspend its judgement till the papers were produced. As to the military transactions, if the last session had been longer, all the documents on that subject would have been then produced. They would soon, however, be brought forward, and, he hoped, considered with a degree of attention suited to their importance. On a subject where so many individuals and interests were concerned, there would be a great deal of prejudice. But the Indian government wanted nothing but to have the whole investigated; and the more gentlemen considered the documents, the more reason they would see to distrust a great number of stories that were circulated by individuals. He had no personal connexion with sir George Barlow. He had only corresponded with him as an officer of the government; but he viewed the great lines of his conduct as entitled to the highest approbation. Although in a situation of such difficulty, some of the minor steps might have been faulty, yet he had no doubt but sir George Barlow had done a great service to the public—a service

vice which even men of considerable merit could not have rendered. It was a mistake to suppose that this business had originated with the suspension of maj. Bowles. The origin of it was much more remote; but the whole would be before the house, and he trusted gentlemen would take the trouble to examine it thoroughly. They would find it well worth their labour, and in the mean time he only requested a suspension of their opinion.

Several other gentlemen spoke; after which the several motions were put and carried.

Sir Samuel Romilly stated, that from the indisposition of the secretary of state for the home department, it was his intention to postpone, for a short time, that part of his intended measure of improvement in the criminal code which related to transportation. He wished then to know whether any transportation of convicts, particularly of female convicts, was intended?

The chancellor of the exchequer answered, that a vessel with convicts had either sailed, or was expected daily to sail.

Sir Samuel Romilly, under the impression that every man was bound to use the means in his power to ameliorate the condition and increase the happiness of society, declared his determination to persevere in his object for the improvement of our criminal code. He concluded with moving for leave to bring in a bill for repealing so much of an act of king William as rendered 'stealing in a dwelling-house, shop or warehouse, to the value of five shillings, felony without benefit of clergy.' He also submitted a motion for leave to bring in two bills; the first to repeal so much of an act of Anne as took the benefit of clergy from the of-

fence of stealing to the amount of forty shillings in a dwelling-house; and the second to repeal the act of 24th Geo. II. for making theft to the same amount on any navigable canal, capital.—Adjourned.

House of lords, Feb. 22.—The earl of Lauderdale, with reference to the late conquest in the East Indies, which he considered of great importance, observed that it appeared by the letter of general Abercrombie, that Mr. Farquhar, a servant of the company, had been appointed governor of the Isle of France; and it evidently appeared, from what was stated by that general in his dispatch, that he unwillingly acceded to this appointment. He wished, therefore, to know whether the Isle of France was to be considered as the king's or company's colony: the difference in the conduct and management of the king's and company's colonies was so strongly against the latter, that if he did not receive a satisfactory answer on this point, he must bring the subject before the house.

The earl of Liverpool said that he had no difficulty in stating that a decision had been taken upon this point, and that it was determined that the islands of Mauritius and Bourbon should both become the king's colonies, the governor to act under commissions from the prince regent; and that those islands would be as much under the control and discretion of the crown as any other of his majesty's colonies in the West Indies or elsewhere.

The marquis of Lansdowne rose, and called the attention of their lordships to the contents of the two letters of Mr. secretary W. W. Pole, and Mr. Edward Hay, secretary to the committee of the Irish catholics. After a very able speech, his lordship moved for the production of

copies of all such dispatches as related to this subject from and to the lord lieutenant of Ireland. The motion was opposed by ministers, and negatived.

The same question was, on the same evening, discussed much more at length in the house of commons. It was introduced by Mr. Ward, who said he rose to move for such papers as might have a tendency to throw light on a late measure adopted in Ireland. Had the production of these papers been conceded, he should have felt it his duty to have abstained from in anywise entering upon the question; but as this was not the case, he conceived it necessary to say a few words to induce the house to accede to his motion. The house must be aware of the nature of the convention act. Of this act, the best justification that can be offered is, that it had its origin in bad times; and nothing but actual necessity can, in any degree, justify its enforcement; for it is calculated to occasion anxiety and irritation on every occasion, when attempted to be put in force. It is incumbent, therefore, on his majesty's ministers to make out that necessity to the satisfaction of the house. He was not disposed to repose any great share of confidence in the administration of the right honourable gentleman at the head of his majesty's councils; and if he was disposed to withhold his confidence from him in any one thing more than another, it was his administration of Ireland, which was conducted on principles on which he could never bestow his approbation. He thought he was entitled to call upon the ministry at this time to explain the motives by which they were induced to rummage the Statute-book for the discovery of pe-

nalties against persons who, however much their conduct might be wrong in one particular instance, had shown no general intention of violating the laws. They even say that it is their duty, as well as their inclination and decided determination, not to violate the spirit nor even the letter of the law. In whatever way they may have violated the letter of the law, there is here an evident wish not to violate the spirit of it. His majesty's ministers may, indeed, possess information of a different nature. They may know that this declaration is nothing more than a pretext; and that under this seeming regard for the laws, measures of a dangerous nature are in contemplation. But the house has no information of any such designs, and remains in profound ignorance on the subject. From this measure it appears that Ireland is in a most perilous state; but it is impossible for a moment to conceive that the cause of this measure does not lie deeper than the letter of the secretary to the catholic committee; for this letter is dated as far back as the 1st day of January, and the circular letter of the secretary to the lord lieutenant is dated the 12th of this month; so that it appears there were six entire weeks between the two acts. His majesty's ministers ought to be able to make out a good case; they ought to be able to show what powerful motive could induce them to remain quiet for six weeks, and then all at once to break out into the adoption of this unaccountable measure. But he wished to call the attention of the house to a particular circumstance:—He had to ask, At what time this letter of the Irish secretary came forth? This paper was issued at a time when the accounts of the installation

tion of the prince regent were merely arrived in Ireland. This was a most unlucky coincidence; for the prince was in the highest degree popular in that country, and was considered to be strongly attached to the interests of his Irish subjects. For this measure, however, there was not the smallest ground to suppose that ministers had the countenance of his royal highness. Whether ministers were right or wrong in the adoption of this severe measure, in the present state of his information upon that subject, he should be very sorry to take upon him to decide; but it was necessary that the house should have means to enable them amply to discuss the subject. The honourable gentleman then moved for extracts of such dispatches as had been received by the secretary of state, from the lord-lieutenant of Ireland, relative to the putting in execution the convention act.—On the question being put that these papers be produced,

Mr. Yorke, although he could not agree entirely with the speech of the honourable gentleman who had just sat down, said that he entirely agreed with him in the concluding part of that speech, where he enlarged upon the propriety of manifesting an anxiety for Ireland; for no man more cordially agreed with the honourable gentleman than himself in the necessity of displaying such an anxiety. Before he proceeded to advert to more general topics, he would state to the house the facts which had come to the knowledge of his majesty's ministers. All that they knew was, that in consequence of a paper issued by a Mr. Hay, who calls himself secretary to the catholic committee—he knew not whether

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this was genuine or not—but in consequence of this paper it was thought advisable to issue the circular letter now before the house. This paper carried on the face of it a violation of the existing laws of Ireland. The convention act is declared to be expressly enacted for the purpose of preventing the assembling of delegates from any unlawful assembly, who are declared guilty of a high misdemeanour. Looking therefore at that letter, he maintained that the government of Ireland could not have acted otherwise than they did, without admitting persons openly to violate the established law of the country. But ministers were not in possession of all the information necessary to enable the house to judge of this measure in all its points; and therefore, if all the papers moved for were granted on the present occasion, they would not answer the purpose. He was therefore averse to the motion, because these papers are insufficient, and because it would be necessary to wait for still further papers, before the house could come properly to a discussion of the subject. Upon that ground he gave his negative to the motion.

Mr. Grattan said, the government of the country should watch, in a particular manner, over the interests of the catholics of Ireland, because the catholics had no representatives in that house; because they ought to be considered in the light of the wards of this legislature. The house ought, therefore, to watch over their rights and interests, and to show their tender attachment to those rights on every occasion. The communication between the legislature and the catholics should be kept as open as possible.

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possible. It was not merely desirable that parochial communication should be kept open—it was not merely desirable that county communication should be kept open—but it was desirable that the house should have every opportunity of knowing the general sense of the catholic body. It was therefore highly desirable that a bad law—a law generated in spleen—for that was its best justification, though sometimes it might be pretended that circumstances made it necessary to be resorted to—should be resorted to as little as possible. It was the duty of the ministers of the crown, and it was the duty of that house, to construe that act in as favourable a manner as they could, and they were called upon to be as favourable as they possibly could to the acts of the catholic body. Now in order that a petition should convey the sentiments of the catholics, it was not sufficient that it was subscribed by a few individuals of that body—it was necessary that it should express the general sense of the catholics,—and how was that general sense to be ascertained but by delegation? The convention act, therefore, went against the most essential rights of the subjects of these kingdoms, and, if literally construed, went to cut off all communication between parliament and the people. This was particularly the case with regard to Ireland since the union: for many channels of communication, which were then open between the people of that country and the legislature, were now almost shut up. He contended that the right of petition should be enjoyed in the fullest, freest, and amplest manner, so as to afford means to collect the general sense of the people. In his

judgement, such popular meetings, so conducted, were not the cause of just alarm. It was well that opportunities should exist for the mind of the people to evaporate. The aspirations of active genius should not be subjected to eternal control, nor the high mettle of the Irish youth condemned to waste itself in indolence and tavern enjoyments. Much did he see of public spirit in the catholics of Ireland; much indeed of vehemence, but of a vehemence that threatened no evil consequences. The fire should be kept in its proper orb, and it would emit a salutary light and heat, without bursting into conflagration. Certainly nothing had been stated to justify the retrospective operation of the convention act; and if ministers were determined to persevere in their impolitic system, he held it to be the duty of the house to interpose in favour of the people, and assert the right of the Irish subject to complain of grievances. It remained for ministers to show, that to destroy the catholic committee was necessary to, prevent a national convention in that country. It was the undoubted privilege of the subject to be sometimes clamorous and violent in the maintenance of his rights: he would not say it was his right to be foolish also; but he was sure, that to suppress any mischief that could be apprehended on that score, the worst plan was that of a harsh exercise of the power and authority of government. Occasional ebullitions of warm feelings did not call for its chastising arm; they were the symptoms of a free spirit, the calentures, if he might use the word, of a lofty mind, harmless when gently treated. He believed, however, that Mr. Pole's  
*letter*

letter might admit of something like an hypothetical form as to the existence of a tumultuous disposition, and he trusted, therefore, that ministers would instantly adopt and sanction the construction. "You have," said Mr. Grattan, "disqualified a large portion of your fellow-subjects, who pay your taxes in support of your government. At a period peculiarly unfortunate, for needlessly increasing your difficulties, you stigmatize a great part of your population, who have fought and bled with you in defence of the liberties and constitution of the country. While you pursue this system, depend on it distempers will not cease in Ireland! that dangers and commotions will continue to attend your erring policy. You have degraded the catholic below the level of the community, and with the buoyancy of nature he will rise to assert that claim to equal rights which he feels is not less founded on reason than on justice." Above all, he recommended moderation and forbearance to the government; the cause of emancipation must ultimately triumph, and those who had accompanied Britons to military glory, would one day vote and legislate in their society. The honourable member concluded a very eloquent speech by doing justice to the administration of the lord lieutenant.

Mr. Parnell and sir John Newport spoke on the same side; general Loftus and sir Henry Montgomery justified the conduct of government.

The chancellor of the exchequer contended, that there was nothing on the part of government which justified the charges then brought against them by the two gentlemen on the other side. The Irish government had adhered to the law,

and felt the necessity of its exercise when the violation of that law was likely to be attended with the most dangerous effects. With respect to the immediate question, namely, the conduct of the Irish government in putting into effect the convention law, he begged to say, that whether the intended meeting of delegates was catholic or protestant, the Irish government would have felt it to be its duty to have pursued the same course. It was no new or unnatural course that they assumed. The proceeding against which their vigilance was directed, was an offence against law; and surely he might assume, that the mere establishment of legal proceedings against the violators of the law, was no ground of parliamentary inquiry. The house had only to refer to the letter of the catholic secretary, and it was impossible more fully to conceive or to describe the duties and effects of a representative body. And he would ask, whether a body of 358 persons, under the eye of government, thus collected, assuming such a character as they had lately done, were not alone an object of vigilance, but ought to be met by the law which their proceedings went to violate? It was far different from the meetings of 1793 or 1796; it went to establish in Ireland a deliberative representative body. There remained only to observe, that there was no impediment by the decision of the government given to the right of petitioning.—On the contrary, by keeping that right within its due bounds, that security was strengthened which might be endangered by transgression. The prayer of the catholics would now come before the house with the same character, authority, and importance as it had formerly done.

Mr. Whitbread made a very able



reply. Mr. Fuller vindicated the measures of government, which Mr. Hutchinson and Mr. Ponsonby maintained to be wholly inde-

fensible. The house divided—Ayes 43, Noes 80—Majority against the production of papers, 37.

## CHAPTER IV.

*Debate on Mr. Whitbread's Motion respecting Lord Eldon—Mr. Wardle's Motion on Military Punishments—Notice of a Motion to regulate the Business of the House—Lord Holland's Motion respecting the Marshalsea Prison—Report respecting Colville—Committee appointed respecting commercial Credit—Debate on Lord Holland's Motion on Ex Officio Informations—Debate on Mr. Brougham's Motion on the Slave Trade—Debate on Mr. Perceval's Motion to regulate the Business of the House—Debate on Mr. Ponsonby's Motion on Mr. Pole's Letter—Debate on the Commercial Credit Bill—Debate on the Mutiny Bill—Regent's Message—Earl Stanhope's Motion on Religious Liberty—Debate on the Assistance to be afforded to Portugal—Sir Samuel Romilly on the Spilshy Poor-Bill—Mr. Martin on the Printers' Penalties.*

**F**EB. 26.—Mr. Whitbread rose and spoke to the following effect: Mr. speaker, in pursuance of the notice which I have previously given, I rise to submit a motion to this house, involving in its result considerations in which, I conceive, the feelings and interests of the country are materially involved. For those feelings and interests it is of peculiar importance that this house should ever entertain a strict regard: in the question to which my motion shall advert, it is most peculiarly due. For I think it will be allowed, that whatever may have been the character of our political distinctions, history will at least admit, when the party heat of our day shall be consigned to the same silence and obscurity as the party contentions of preceding times—when he who shall write for the instruction of posterity is removed from the influence of contemporary prejudices, and therefore

best calculated to decide with impartiality—such historian will be forced to acknowledge that, notwithstanding any unjust imputation, no people ever evinced, for a series of years, a more loyal feeling of affection and devotion towards the person or government of the present king than the people of this country. If we look back to the last twenty-five years of his majesty's reign, we shall find that this is a love and attachment not limited to the impressions of his earlier life, or arising from the prosperity of his councils, but acquiring additional force in proportion to his personal infirmities, and strengthening with his decay. If, then, the people of this country have uniformly felt the highest interest in the health of their sovereign—if in the days of his strength they have rejoiced, and mourned with heartfelt sorrow during the visitation of his distress and sufferings

ings—is it not a duty most imperative in its exercise for this house to apply itself to the investigation, whether such feelings have not been most shamefully deceived; whether the foulest play has not been carried on, and the person of the king, as well as the attachment of his subjects, criminally abused, in order to accomplish the schemes of certain of his ministers? If I shall show that such delusion has been practised, and that neither to the king nor to the people has there been fair play extended,—in such circumstances it is impossible but that the indignation of the country will be roused, and that it, with me, will loudly call for a full inquiry into those facts, which the house, by agreeing to my preliminary motion, shall put me in a condition, in my judgement, perfectly to prove and to establish. In the year 1768, the period when his majesty was first afflicted with that calamity to which he has since been repeatedly subjected, the public mind continued for a long time deaf to the statement. Their affection for the king, their fears of the evils which might follow, made the people incredulous as to the existence of the fact; and even when announced by his confidential servants, the country could not give credit to the extent of the extraordinary affliction with which the monarch was visited. But after it was proved in this house, and parliament had proceeded to take the due measures to provide for the incapacity, the moment it was announced to the two houses of the legislature by a noble personage (lord Thurlow) then holding the same high situation which lord Eldon now fills, that his majesty was so far recovered from his malady as to be expected shortly to resume his functions, the interval required

by ministers was immediately acquiesced in, by the unanimous assent of the legislature, and the corresponding approval of the country. Whatever heat or dissension the discussions of the question for supplying the royal incapacity might have produced, were immediately dissipated by the tidings of his recovery and restoration. In parliament and in the country the satisfaction was sincere and universal; there glistened in every eye what was felt in every heart. Twelve years had thence elapsed, when the country learned from the statement of the physicians in attendance on the king, that his majesty was indisposed. Had the people not been acquainted with the nature of the disease with which the king was before affected, it was utterly impossible to discover the true circumstances of his situation from the bulletins then daily published. It is, however, now notorious, that his majesty's complaint then was mental derangement. Yet, on the 24th of February 1801, when his majesty was incapable of any act of sound discretion; when, to use the words of one of his physicians in their examination before parliament, his judgement was in eclipse; did lord Eldon, then, as he is now, the lord chancellor of this kingdom, come down to parliament, and in his majesty's name, under the pretext of the royal command, give the assent of the king to a legislative measure. At that period also, it will be remembered, a very remarkable political transaction took place—Mr. Pitt, after having directed the affairs of this empire, as minister, for nearly seventeen years, from circumstances now unnecessary to mention, felt it due to his own honour to resign his seals of office to the king; and was succeeded by a noble viscount (Sid-

month), who was then placed in that chair which you, Mr. Speaker, now so worthily fill. At what time precisely Mr. Addington after his second election, in consequence of his acceptance of office, took his place, I cannot precisely state. However, on the 11th of March we know that his majesty's physicians ceased to issue bulletins of his health; and from the examination of the same physicians in the month of December 1810, we are informed that the bulletins were stopped in order that the public should think that his majesty was fully recovered. It is now, however, known, from the same unquestionable source, that, subsequent to the period when these bulletins were stopped, a very serious relapse in his majesty's malady had occurred; and that, during this period of the royal incapacity, the executive authority of the crown was carried on in the same manner, and under the same sanctions, as if the king were in the full enjoyment of those faculties which are inseparably connected with the full and complete exercise of his public functions. For though on the 15th of February of that year his illness was very generally announced, yet such was the delicacy of the public and of both houses of parliament, that no parliamentary notice was taken of the occurrence at that date. It was true, indeed, that an honourable gentleman, not now a member of this house, gave notice of a motion on that subject; but it having been deprecated by a right honourable friend of mine, it was withdrawn, Mr. Pitt having declared that ministers would feel it their duty to make a communication to parliament in the event of his majesty's complaint assuming any serious aggravated tendency. In the year 1804, when his majesty was

again declared to be indisposed, ~~to~~ will be found from the report of the examination of the physicians before the lords,—a report which it is my preliminary object to have laid on the table of this house, and to deny which can only be for the purpose of refusing all inquiry,—that one of these physicians has declared upon oath, that the period of the royal incapacity lasted from the 12th of March 1804 to the 23d of April of the same year, on which day his majesty appeared in council. It is extraordinary that the physicians should have ceased to issue bulletins of his majesty's state on the 24th of March, although one of these physicians, Dr. Herberden, has positively declared that the illness continued unabated until after a few days of the 23d of April following. With respect to the transactions attending his majesty's incapacity in the year 1801—as two of the persons then high in his majesty's councils are now lost to the country; and as, from the peculiar situation of others, there can now exist little alarm in the nation of a recurrence by the same persons to similar proceedings, it is not my intention to extend the present inquiry to a retrospective consideration of the events of that period. But as in the act which, under restrictions, we have lately passed to supply the deficiency in the royal authority, among the advisers of the queen in the care of the person of the king, and to facilitate his resumption of the royal authority, the name of the person is inserted who was lord chancellor of this kingdom in the years 1801 and 1804, during the periods of his majesty's former derangement—as there are now living members of the other and that house of parliament, viscount Sidmouth, lord Castlereagh, the present lord of the admiralty

admiralty (Mr. Yorke), and others who sat in the king's cabinet in the year 1804; I should think that, either for the object of precaution, and with the hope of example, this house will put me in a situation of proving what I undertake to substantiate, while it will give to those whose conduct I have impeached the opportunity of disproving the charges I shall make. Whether any imputation will ultimately attach to viscount Sidmouth, lord Castlereagh, Mr. Yorke, or lord St. Vincent, who were of the cabinet of that period, I pretend not to anticipate. That question will be best established by a fair inquiry; and I therefore call upon them, by the duty they owe their own characters, to support me in my present proposition. But that blame rests upon my lord Eldon, and on him most particularly, is what I broadly assert; and what, if this house will allow me the means, I will undertake to prove. In 1801, when he was chancellor, a great political event occurred—In 1804, about the period of his majesty's illness, another great political transaction took place. On the latter occasion, two as great political parties as ever contested on this arena coalesced against the minister; and having divided within fifty of his majority—for it was not then the fashion to retain office even under the pressure of repeated defeats—Mr. Addington resigned. It had then been the hope of the country, and it has been avowed to be the wish of Mr. Pitt, that after the heat of nine years' political contest, an administration should be formed comprising the two great political leaders in this house. At the period when a negotiation for that purpose was going on, lord Eldon was the only minister who had ac-

cess to the king. Whether it was he who gave the advice which rendered that attempt abortive, there is no opportunity of deciding. Whatever was the nature of the communications which at that time he had with the king, as there were no witnesses, will, most probably, ever remain unknown. It is now unquestionably established, that his majesty was incompetent to the discharge of the royal functions, from February, 12, 1804, to April 23d following. Yet, on the 5th and 6th of March he found lord Eldon taking his majesty's commands on a proposed measure for the alienation of certain crown lands; and on the 9th venturing to come down to parliament with a commission purporting to be signed by the king, at a time when, by the acknowledgement of his physicians, his majesty was labouring under mental infirmity. At that period the noble and learned lord was questioned, in his place in parliament, as to the competence of the sovereign. In one of those appeals which are so characteristic of his eloquence, he vowed to Heaven that he would sooner burn the hand from his body than do an act so unconstitutional, if the monarch was incompetent; at the same time avowing that he acted upon the peril of his own responsibility. That responsibility I call upon the house this day to put to issue. I call upon this house to inquire if these transactions did not take place when his majesty was of unsound mind, wholly incapable of exercising the royal function; when his judgement, to use the phrase of his physicians, was in eclipse. But this is not all; for I find that on the 26th of the same month a message was brought down, signed by the king, at the very time he was proved to be labouring under

mental derangement. During that period, when such unconstitutional proceedings were occurring, the lord chancellor Eldon was the only minister who had access to the sovereign—he was at the very moment in the exercise of the same judicial superintendence over the king, as he is in the habit of holding over unhappy private persons against whom a commission of lunacy had been issued. If these are undeniable facts,—and to prove them so I think I may pledge myself,—have I not every right to expect that this house, that the ministers of that day, and the friends of those ministers will vote for an inquiry, which will afford them the opportunity of defence; and of which if they shall not avail themselves, but oppose it, then the affectionation of admitted responsibility is on their part worse than idle—it is insincere. It is most material to the country to be informed aright upon this subject, either, if what I have stated be true, that it may by present example guard against future repetition; or, if it be untrue, that its falsehood should be unquestionably established. His majesty, recovering from a similar calamity, is now again about to be restored to the exercise of the executive functions by the same instrument; and therefore it is highly necessary to protect both the sovereign and his subjects from being again exposed to such improper delusion. No man, I think, will venture to say, that a king of England can be considered capable of discharging his public duties, though in a state of mental infirmity which would preclude a private individual from being intrusted by that very lord chancellor with the conduct of his own private affairs. No man will attempt to contend, that the indi-

vidual would be fit to conduct his affairs during a period when he was placed under the restraint of those attendants which are employed in restraining the insane. This house, I should hope, will not declare that a state of competency, during which the king, though in the morning exhibited in a council, was immediately after placed under personal restraint. It is in evidence that his majesty, from the appearance of the malady in February 1804, to a period long after the 23d of April, was under the care of a physician (Dr. Simmons), whose immediate province it is, both in a public and private capacity, to attend to persons labouring under mental derangement. My opinion is, that the sovereign cannot be considered fit to discharge the duties of the royal office, unless at least he should be in such a state of recovery as would, in the case of a private individual, procure the supersession of a commission of lunacy. Yet with what caution and deliberate inquiry does not the lord chancellor, the legal protector of lunatics, proceed, before he decides to supersede such commission! Indeed, in the course of the noble lord's practice, there occurred to himself an incident which fully exemplified the propriety of that deliberation and vigilance. He had, as I have heard, applied to supersede a commission of lunacy, upon such grounds, taken both as to time and quality, as left no doubt of the restored sanity of him for whom the learned lord applied. He was successful in the application; and it was scarce five minutes after the decision, when the lunatic went to return him thanks for his exertions, that he was convinced that the motion he had carried was the greatest injury that could

could happen to the unfortunate man. That source from which the infirmity springs, and which for a length of time had eluded observation, was now suddenly discovered: by touching on this particular chord the whole fabric, raised by a species of morbid cunning, was wholly overthrown. It has been said, that at the periods alluded to, of 1804, when his majesty exercised his functions, there were from the physicians certificates of competency for the day. Will the house of commons acknowledge the validity of such proofs? or can they admit that to be a state of capacity, which only showed itself in casual intervals, and which would not be sufficient to reinstate a private individual in the conduct of his private concerns? I should like to cross-examine these physicians—I should like to cross-examine my lord Eldon on this point—I would ask him, whether, in the exercise of his judicial duty, he would pronounce that person competent whom he still thought it necessary to continue under personal restraint—not alone the restraint of the physicians, but of those subordinate agents who attend in cases of mental derangement!—I would ask, whether at the time when he, in the name of the king, exercised certain acts of the executive authority, his majesty was not under personal restraint, such as I have described? I would ask, whether at that time he himself did not exert an authority which he could have no right to exercise, unless in his judicial capacity as the legal guardian of lunatics? I would ask him, whether he did not at that time possess himself of the keys of the king's private escutoire, and refuse to give them up? If it shall be told me

that this is all assertion on my part, my answer is, Then give me the opportunity to prove it. My motion of this night, if acceded to, will put me in a condition to proceed to my ulterior object. I say, that from the 12th of February 1804 to the 10th of June Dr. Simmons and his subordinate agents exercised a control over his majesty, such as is known to be exercised towards persons afflicted with the deprivation of reason; that during that period lord Eldon, of all his ministers, had alone access to the king; and that the noble viscount (Sidmouth) at the head of that administration did not see his majesty until he went to resign his office. I cannot repeat too often, that the friends of that noble lord, and of his colleagues, are bound this night to give me their assistance, otherwise it is impossible for them to stand clear in the eyes of the country. In the treatment of the afflicted monarch himself there is strong aggravation of his servants' offence. The feelings of the country must revolt, when they find that in the hour of his calamity their sovereign was at one hour exhibited in the council, then driven from one place to the other, to excite false impressions in the country—paraded in the morning as a king, only to be remanded at night to personal restriction and control! Those who are attached to the sovereign merely from his personal virtues, must feel indignant at the unfeeling agitation to which he has been exposed. Those who respect the kingly office, and are anxious for its stability, cannot but deprecate the manner in which its dignity has been impaired, and its security undermined. The honourable member concluded with moving, "That a committee be appointed

appointed to search the journals of the lords for the report of the examination in December last, of the physicians in attendance on his majesty, and that the same be laid before the house."

Lord Castlereagh began by observing, that as he had been a minister of the crown in 1804, he should not do his duty unless he took the earliest opportunity of meeting the charges now brought against the administration of that period. Delicate and important as the question was, the house knew its duty to the sovereign and the country too well to be restrained by any considerations from doing justice on the present occasion; and he fully went along with the honourable gentleman, and even put it stronger, that if the ministers of 1804 had violated their obligations to the king and the public, the house ought to call them to a most severe account. The honourable gentleman had, he would not say illiberally, but perhaps naturally, directed his particular attention to the conduct of lord Eldon, who held the same high situation then as at present. But he (Castlereagh) could not as a man of honour forbear claiming his full share of the responsibility, and of the blame, if there was any criminality, but which he denied. This was not a mere bravado, for he would tell the house why he considered himself as equally responsible. It was because he was conscious that none of the ministers would have gone up and taken his majesty's pleasure on any business, unless the whole of the cabinet had been convinced that he was in such a state of health as to have rendered it criminal in them to refrain from doing that for which they were now accused.—The honourable gentleman would

find, that the evidence on the lords' journals would not bear him out in all his statements; for he himself could contradict some of his facts. He knew perfectly well, for instance, that the honourable gentleman was mistaken in the assertion, that lord Eldon was the only minister that visited the king between the 12th of February and 23d of April, or even the 22d of March; for lord Sidmouth had seen him on the 19th of March. Lord Sidmouth, then chancellor of the exchequer, had attended his majesty on the 19th of March with official papers to be signed by the king, and thought his majesty fully competent to transact business, as the physicians had stated. The next act was the commission for passing bills on the 23d of March; at which day Dr. Heberden, taking his evidence altogether, had declared that his majesty was most fully competent. On the 26th of March a message had been brought to the house respecting the Irish militia, the physicians having declared that he was perfectly capable of holding communication with his parliament. After a recapitulation, his lordship in conclusion observed, that the principle of incapacitation to the extent contended for by the honourable gentleman was perfectly monstrous on the face of it—and besides, the whole of his argument was in a great measure overturned by the consideration, that his majesty's was a case not of insanity, but of derangement, as had appeared in the evidence. His lordship further observed, that the full and perfect recovery of which the honourable gentleman spoke, was out of the question. How could any body look for a complete recovery in every respect, bodily as well as mental, when the usual effects

effects of such a malady were considered? It was, in truth, impossible that the burries of which the physicians spoke, should not at times take place under such circumstances. Yet his majesty might be fully competent, notwithstanding, as had been abundantly made out in evidence, to exercise the royal functions. He again claimed for himself a full share of responsibility; and said, they could not touch a hair of the heads of lords Eldon and Sidmouth without also coming upon him. With that he threw himself upon the judgement of the house.

Mr. Yorke said, he had seen his majesty, had had a long conference with him about or before the 23d of April—he could not pledge himself accurately to the day, but he could affirm that in that audience the king's mind seemed to be perfect master of itself. The king then appeared to him to be in full as good health of mind and body—to be as fully competent to the discharge of the duties of his station, and to be as competent a judge of those duties, and of the interests of the government and the country, as any of those political sages who set themselves up as patterns of statesmen—as men who would claim an exclusive patent for all the talents and all the honesty in the country.

Sir Francis Burdett maintained, that the ministers had usurped the sovereign power, that the king had been under restraint at the time that he was acting as king—and this was the principle which, in the earlier periods of their history, had laid the foundation of many of their most penal statutes against favouritism, under which both the Gavestons and Despenpers had suffered; and one of those

statutes spoke of the king as under strict guard and restraint. He protested against that principle of responsibility which made every man and no man responsible of the ministers. The house could not punish a whole cabinet; it therefore selected the officer in whose immediate department the offence complained of occurred; and it was no sort of justification to plead the acquiescence of a cabinet, a something unknown to the constitution. The honourable baronet then proceeded to comment, in terms of ridicule, on the volunteering generosity of the noble lord to participate in the responsibility of other men. He really thought the noble lord had quite enough to answer upon his own score. With respect to the charge preferred, it related to a fact. That fact was not controverted; and if the kingly office was not a mere puppet made for the purpose of coming down in a gilt coach to meet the parliament occasionally, this act of the ministers amounted to a high crime and misdemeanour. If they could go on without the kingly office, they were innocent; but as he thought that while the constitution existed they could not do so, he should vote most cordially for the motion.

Mr. Whitbread made an able reply, and the house divided—For an inquiry 81—Noes 198. Majority 117.

Feb. 26.—Mr. Wardle, in the house of commons, brought on the case of a corporal in a militia regiment, sentenced to receive one thousand lashes, of which he had inflicted on him only 200; and on the offer being made to him to receive the remaining 800 or go into a foreign regiment, he preferred the latter. The charges against the man



man were, endeavouring to excite discontent with respect to short allowance of clothing ;—speaking disrespectfully of his colonel, saying that he would tear the coat from his back ;—and that he would cashier the heads of them. Of the first charge the man (Curtis) was acquitted : with respect to the language which he made use of in the moment of irritation, col. Wardle said it was not a thousandth part as bad as what had been said of his commanding officer by a gallant admiral (admiral Harvey) who had since been restored to the service. He thought some similar allowance ought to be made in the present case. It was in the recollection of all, that some German soldiers had been taken in the act of desertion, having stolen a boat for the purpose of going over to the enemy. They were taken and tried : but were they sentenced to be flogged ?—No ! he believed they never did, nor never dared to put a lash on the backs of German soldiers ; and he saw no reason why British soldiers alone should be exposed to that severity. It was on the 5th of August that Curtis received his punishment. He was at that time so sick and weak, that he was obliged to be supported while they tied him to the halberts. During his punishment he fell into frequent fainting fits ; and having received 200 lashes, he got his election either to take the remaining 800 lashes, or to rot in the West Indies. He, of course, preferred the latter. Although he had only received a fifth of his punishment, he was confined from it in the hospital from the 5th of August to the 14th of November. Colonel Wardle then read a letter from Curtis, written twelve days after the flogging, wherein he

mentions, that “ he would have been very glad if he had been able to bear the remaining 800 lashes, instead of being sent to the West Indies ; but the 200 had been administered with such extraordinary severity, that it was not possible for him to bear more. His back was one complete sheet of corrupted matter, which drew from him all his strength, and made him almost unable to stand.” Having stated so much, he thought it was unnecessary to detain the house with many observations. He trusted that, if the house would grant him a committee, he would be able to substantiate by proof those facts which he had stated. He concluded by moving for a committee to take into consideration the case of corporal Curtis.

The colonel of the regiment, who was in his place as a member of the house, declared he had done nothing that was not absolutely necessary for military discipline. Mr. Manners Sutton, the advocate general, courted inquiry when a subject could with propriety be brought into discussion, which he denied in this case. On the division, there was for Mr. Wardle’s motion only one, and against it ninety. The person who voted for it was colonel Langton, the colonel of the regiment in which Curtis was corporal.

Feb. 27.—The chancellor of the exchequer rose to make the motion of which he had given notice. He said, he conceived the house must be sensible of the great inconvenience and delay which had been occasioned to the public business last session by the continual conflict there was between notices of motions and the orders of the day, by which many orders of the greatest importance were obliged  
to

to be brought on at so late an hour as two o'clock in the morning. This, he thought, might easily be avoided, by making an order of the house, that orders of the day should have the precedence on certain days in the week, and notices of motions on the others. When he mentioned this matter before, the principal objection seemed to be, that such an arrangement would affect the right which every member possesses, of making a motion without giving any notice. To obviate this, however, he would propose, that let the matter of this motion be settled how it might, he intended it should in no way whatever preclude any gentleman from making such motion as he might think necessary, without giving any notice. He would not, therefore, trouble the house further than to move, "That in the present session of parliament, the orders of the day set down in the order-book for Mondays, Wednesdays, and Fridays, should have the precedence of notices fixed for those days; and that notices should have precedence on the other two days." After a long conversation, the subject was adjourned to a future day.

Feb. 28.—In the house of lords, lord Holland rose and said, that he intended to make a motion, to which he could not foresee any ground of opposition. It was particularly connected with that important subject, the debtor and creditor law of this country, respecting which a noble and learned lord opposite had introduced measures from which he (lord Holland) expected a considerable amelioration of those laws. His object in making this motion, was especially to point out to the house the enormous evils which existed under the present system. In the month of January

last, an unfortunate man died in the prison of the Marshalsea, in the county of Surrey, who had been confined there for a debt of about seven pounds in the month of November last. A coroner's inquest sat upon the body of the deceased, which was found in the most wretched and miserable situation. He had been bereft of the means of supporting his existence. He was found in a place where there was neither door nor window. He had been absolutely reduced to such a state of misery, that he had been seen in the yard gnawing the refuse bones that had been left there, in order to obtain some means of prolonging a wretched life. It was true, that on examining the miserable rags that were on him two shillings were found; but he understood that the coroner's jury should say, that they had no doubt those two shillings were either put into his pocket after his death, or were given to the sufferer when such helps were far too late to afford him any relief. The coroner's jury found a verdict, that this unhappy man had died from want of food, clothing, and lodging. His lordship was informed that the verdict first agreed upon by the jury, was simply, that he was starved to death; but they afterwards agreed to the more mitigated verdict which they had delivered. But he must say, that whatever else their lordships might do, still they could do nothing which would make them stand more clear and well with the country (the importance of which he thought was great and obvious), than to watch carefully that nothing should exist in the administration of justice in the land, which bordered on cruelty and injustice. He thought therefore that, in a general point of view,

view, the administration of the prisons of this country claimed their lordships' attention. He meant to throw no particular blame on individuals who might not deserve it. He should therefore move that a copy of the proceedings of the coroner's inquest, and the verdict given, should be presented to that house by the proper officer.

After a few words from the duke of Norfolk, the motion was put and carried.—Adjourned.

House of commons, March 1.—Mr. Dundas presented the report of the secret committee appointed to inquire into the situation of Colville, the prisoner in Coldbath-fields prison. The report stated, that the committee having inspected a number of documents relating to the cause of Colville's detention, and having examined a number of witnesses on the subject, as well as inquired into the mode of the prisoner's confinement and the nature of his treatment, were of opinion, that there was sufficient cause for the prisoner's being detained, and that he has not been treated in an improper manner. They were also of opinion, that the mode of confinement in Coldbath-fields prison was insufficient for the object, and not sufficiently strict.

Lord Folkestone said, that this report contained the unanimous sentiments of the committee.

The chancellor of the exchequer stated, that he rose in pursuance of his notice, to move for the appointment of a committee to inquire into the state of commercial credit in this country. He had no difficulty in stating to the house, that various applications had been made to him by the manufacturing and commercial interests of the country, in consequence of the

suspension of public credit, and in consequence of the losses which had been sustained from the interruption of trade. To these representations he was disinclined to pay any particular attention; but they had from various quarters so much multiplied, that he thought fit to submit the subject to the consideration of the house, that a committee might be named who should present a report to the house on the subject. He wished to refrain from entering into any discussion of the subject at present, as premature and improper. He thought that the committee should consist of 21 members. In that number, the four surviving members of the committee of 1793, now in the house, were included. The names proposed, as far as we could recollect, were,

The chancellor of the exchequer, sir John Sinclair, Mr. Brogden, Mr. Manning, the lord advocate of Scotland, Mr. Rose, sir Thomas Baring, sir James Shaw, Mr. Baring, Mr. Henry Thornton, Mr. Foster, Mr. alderman Shaw of Dublin, Mr. Charles Long, Mr. Sharp, Mr. Irvine, Mr. Marryatt, Mr. Hart Davis, and Mr. Stanforth.

Mr. Tierney made some objections to the motion; which being answered by the chancellor of the exchequer, the motion was put and carried.

March 4.—Lord Holland in the house of peers rose, and commenced by observing that their lordships were summoned there that day on a subject of very great importance. When he first moved that their lordships be summoned, he felt persuaded that the proposition he was to submit to them was so reasonable, so consistent with the usage of their house, so clearly deducible,

ducible, not merely from the duties they had occasionally to perform, but the natural and necessary consequence of those duties which they should uniformly and unremittingly discharge, that he could not anticipate any opposition whatever. He had, however, received an intimation, that opposition would be made, and he took the opportunity of expressing his thanks for the politeness with which it had been intimated to him. He meant to throw no imputation upon the learned judges, for whom he had a high respect, for some of them personal friendship, and admiration of their learning and wisdom. The general principle on which information was produced to their lordships, would, he thought, fully justify what he intended to submit, even without a reference to an abuse of the exercise of the power of the attorney-general. But on that subject he had to call to their recollection, that a bill had within the last two or three years been brought in at the lag-end of a session, which he unsuccessfully opposed, and which passed into a law, altering the old fundamental laws of the country—altering that which the stream of the laws proved to be the law of the land—without any reason assigned for it in the preamble of the act, except what had been since stated of the revenue laws. This act gave to the simple filing of an information *ex officio*, by one man, possibly acting conscientiously, all the force which could be derived from the opinions of twelve lawfully chosen and sworn. For giving him by this act the power of holding men to bail on his filing an information, no sort of reason was given in the preamble. When he expected that no opposition would be given to

his motion, it was, perhaps, a proof of his own simplicity rather than of any thing else. When the law was thus altered, no papers were laid on the table to show the necessity for it; nor any reason given, except, as he thought, that only and insufficient one, that by enabling the attorney-general to hold a man to bail, the facility of compelling his appearance was secured, and that his trial for the crime was thereby rendered more probable. Would it be said, that it was now improper to know what had been the effect of this alteration? By the production of the information he sought, they would see, first, what its effects had been in the prevention of libels, and the correction of the licentiousness of the press; and whether those who were deemed libellers had been brought to a more speedy punishment. Let their lordships take the opportunity of looking at this subject, at a time of the session which would afford them opportunity and leisure to examine and judge of the wisdom of this recent alteration of the law. These grounds appeared to him sufficient to justify any noble lords in voting for his motion, even though they differed from him in their opinions, and in the remedies which he thought ought to be applied. He wished to call their lordships to a particular point, the power of the attorney-general to file his informations *ex officio*. He had not risen to question the legality of this mode of proceeding, though he knew, at the same time, that men of great learning and authority had held that it was contrary to the law of this land. It appeared to him, that the stream of time gave evidence of what was the law of the land. An *obiter dictum* of lord Hale's had been given, that

that if these prosecutions by information *ex officio* were questioned, they could not stand. This had been mentioned by sir Francis Winnington: but my lord Holt had said that it was the abuse of such informations that had been intended by lord Hale. He paid great deference to the opinion of lord justice Holt; but he was not then questioning the legality. The abuse, however, was admitted to be a ground of complaint by that learned judge. Now, as to the expediency of such a power existing, that was another and a general question, and was not necessary for his argument. Many persons, however, of eminent talents and profound learning, and of high distinction in the profession of the law, had expressed their opinions against *ex officio* informations. It was not so long since that had been done by Mr. serjeant Glynn, by Mr. Wedderburne, afterwards lord Loughborough, and by Mr. Dunning, afterwards lord Ashburton, a person whom it did not fall to the lot of his time to know, but concerning whom all traditionary accounts agreed in representing him as eminent in talents, profoundly versed in the laws and constitution of his country, and a sincere lover of liberty. He could say, that he (Mr. Dunning), whom the noble and learned lord on the woolsack had stated to have been his preceptor in legal knowledge, of whom he had heard the noble and learned lord speak in such high and deserved terms of panegyric, had actually thrown down the gauntlet on the subject of these *ex officio* informations, and had declared that they could be practised only for the purpose of abuse. He was not now introducing the authorities of lords Loughborough

and Ashburton for the purpose of suppressing altogether these informations; but he might properly do it, at all events, in the way of apology for those who thought them unparalleled in the laws of our country, when they were perverted from the purposes for which they were intended. There were, as their lordships must know, three ways of proceeding in cases of libels; one by civil action; but this was not the way of proceeding against a libel criminally, though criminal prosecutions might, in some respects, have arisen from it. There were two other modes of prosecuting misdemeanours; one by indictment, and the other by information. He need not describe the mode of proceeding by indictment. It was sufficient to say, that there a grand jury of twelve men must interpose, before the matter came into the court to be tried ultimately there by another jury of twelve men. In the case of information there were two modes; one in which the information was by the permission of the court, which operated so far something like the first stage by indictment. The other mode was the information *ex officio*. Previous to the act of William III. and Mary, informations through the crown-office, and those by the attorney-general, appeared to have been nearly the same. The preamble of that act stated, that frivolous informations had been filed; that persons had been put to expense, and never brought to a trial; that persons should obtain the leave of the court, and enter into recognisances to come to trial; and that the defendant, on acquittal, should in such cases be entitled to costs. As, formerly, informations of both sorts were resorted to by the crown officers,

officers, it was supposed that if the power were left in the hands of such a high law officer, he would not be so likely to abuse his trust, and that persons would be proceeded against with the view of bringing them fairly to trial. They did not apply the other remedy to the cases *ex officio*, the crown paying no costs. These informations were liable to abuse, because of the power they gave over all writers, even over those who favoured the existing power. The law, however, admitted of no proceeding by information in cases that concerned life or limb. Why was this the case, excepting that it was not considered a mode of prosecution so favourable to the individual prosecuted? It was admitted by lord Hale, and the evidence was conclusive as to his regard for these proceedings, that "two things" (says that judge) "are observable. First, that there is no proceeding by information against capital offences." Now, surely, lord Hale could not mean to convey no more than this mere information, that capital offences were not so proceeded against; for he had said that before in his Pleas of the Crown. Why? Because the merciful law of England prevented this proceeding by information in cases of life and limb, it being, as he (lord H.) had said already, thought less favourable to the accused party. Secondly, lord Hale proceeds, "that in all criminal cases, the regular and safe way, and the way more conformable to Magna Charta and to the statutes of Edward III. for proceeding, was by the presentment of twelve sworn men." Here was lord Hale's opinion. What could be his ground for these remarks, when he admitted the proceeding by information to be con-

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formable to the law, unless that he meant the inference that it was liable to abuse and oppression? Oh! but it might be said by some persons, that lord Hale might have had a bias on his mind on that subject, from the abuses which he had witnessed in the times in which he lived! Well, then, let them hear what was said by the apologists for the practice. He should therefore refer to a more modern authority, but one whom he felt much pleasure and admiration in quoting, for he admired the perspicuity and simplicity of his style, and the many excellencies he discovered, particularly in making his subjects plain and clear to the understanding; he meant Mr. justice Blackstone, who, however, could not be said to have the bias he had adverted to. His bias certainly was not against any thing existing in the administration of the laws. Excellent as his work was, it was a panegyric on the laws and constitution of England from beginning to end. He said, that it was a fact, that the attorney-general could proceed by this mode of informations. He then goes on to give the reasons for it, as one who thought every thing good that did exist in the administration of our laws. He stated, that they were necessary to the existence of the British constitution. He said, that the object of those powers was to direct the proper prosecutions against such enormous misdemeanours as disturbed the government of the country, and impeded the exercise of the royal functions, in which case, a moment's delay might produce the most fatal consequences. The power of immediate prosecution was therefore given to the king's attorney-general, and it made a part of the great plan

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plan of the British constitution. This showed that in cases where they were directed against the purposes or acts not calling for immediate prosecution, there was clearly a flagrant abuse. If he (lord Holland) could show to the house that such prosecutions had taken place, not only against such crimes as were thus considered of an inferior nature, and not of that enormous character of misdemeanour which alone required them; but also, that no prosecution was followed up in a great proportion of those cases, and that by this practice the filing of an information was in many cases the fining the party in the expenses; if he could prove this to the house, he would assert, that he had proved an abuse of this power which called upon their lordships to search into the instances, and to devise some remedy against the repetition of the abuse. He believed he had shown the great liability to abuse of this power, which, like Goliath's sword, should be used only on great occasions; that he had shown, that the law viewed it as the less favourable mode of prosecution for the individual, and therefore excluded it from cases of life and limb; and that it had been extended and perverted to a degree frightful to liberty. Formerly this mode had been made use of for extortion—then for oppression—now, it would appear, for influence! He must call it a perversion of the attorney-general's power, and an abuse of it, to extend it to such crimes as he had extended it to. After the time elapsed between the filing of the information and the period for trying it, if the information were against enormous misdemeanours, there would not be much doubt about bringing on

the trial, in order to bring the criminal party to judgement; but if the prosecutions were left short in any of their further stages, was there not ground for suspicions of an attempt to exert an influence, particularly in the case of periodical publications? If he proved that from the year 1801 to the year 1806, only fourteen of these informations were filed *ex officio*, and that in the three succeeding years they amounted to forty-two; if he proved these things, then was it to be maintained, that high and enormous misdemeanours had greatly increased, misdemeanours of such a dangerous nature as not to admit of a moment's delay. Was this to be maintained, when it should be proved that the fact was, that of these forty-two, the attorney-general had been unable to bring more than sixteen to justice; while the constitution remained, and parliament was sitting as safely as before, notwithstanding all the dangers arising from six-and-twenty of these unpunished and enormous offenders? His lordship said it was his wish to avoid noticing particular cases, and to consider the question generally, merely taking up any of them as matters of illustration. He should, therefore, remark, that in addition to this increase, the informations were often filed, not against the persons who committed the original offence, though they were near at hand, and quite within reach, but were directed against persons at a distance, and kept hanging over men's heads *in terrorem*. This part of the subject afforded the plainest evidence, that such an use of power must be intended for influence and for terror! He wished now to say a few words on the hardship of the proceedings frequently adopted on these

these informations. Were their lordships aware that 'in the case of crown prosecutions, when the defendants were acquitted, the king never pays costs? Were they aware of the extent of the expenses to which individuals were often put, though declared to be innocent, or even when the prosecutions were dropt? In many instances, individuals in a class of life unable to bear heavy law charges, were put to an expense of from 60 to 100*l*. even though their trial was never brought on at all. The summary proceeding, by way of informations, might be necessary to meet pressing exigencies; but still this very circumstance of the great expense to individuals was a ground, if not for distrust, at least for watching with extraordinary vigilance a power that placed the means of oppression in the hands of any one man. It was well known that the attorney-general often preferred prosecuting the publisher rather than the author; that he sometimes kept the trial hanging over the head of the person accused, for a considerable time, and after conviction did not for months together move for the judgement of the court against him: there was every appearance of his being kind only to those who were politically interested in support of the measures of government; and under all these circumstances, that man's mind must be strangely formed, indeed, who did not entertain some suspicion of a power that was so exercised. Sorry he was to say, also, that he saw a tendency and disposition in those to whom the administration of justice was confided, to encourage those laws with regard to *ex officio* informations. Feeling as he did the highest respect for the noble lord who pre-

sided in the court of king's bench, it was painful for him to say, that the powers lodged in those to whom the administration of justice was confided, appeared to him to have been in some instances converted to an unnecessary aggravation of the punishment. He did not mean to argue against prosecutions at all; but rather to recommend the exercise of a proper discretion. The circumstances which he had stated, were in his mind sufficient to justify some investigation, and to be a ground for the motion with which he should conclude. But he would then state what ulterior proceedings in his opinion should be adopted, were his motion agreed to. In that case, he should wish to propose certain resolutions to the consideration of the house; one of which would be, to confine the filing of *ex officio* informations within the lapse of a certain period after publication of the paragraph or paper charged with being libellous. By a second resolution, he should propose that it be compulsory on the attorney-general to bring the matter to trial within a certain time, or to state to the court the reasons why he does not; and that after a verdict had against the defendant, judgement should be prayed against him within a certain limited period. In addition to these resolutions, he should be disposed to move for the repeal of the late act of parliament on the subject of *ex officio* informations, which enabled the attorney-general to hold to bail any one against whom he chose to file an information. His lordship concluded a most eloquent speech with moving, "That there be laid before the house a list of all the informations *ex officio* filed by the attorney-general from the 31st of January 1801



to the 31st January 1811, with the names of the persons against whom the informations were filed."

Lord Ellenborough could not see any grounds in the statement made by the noble lord which called upon their lordships to grant the production of the documents moved for. He did not see why persons in high stations ought to be made the objects of invidious investigation upon grounds of hazardous conjecture. As for the information sought for, what could the noble lord learn from those documents which he did not know already? If there were any matter of special interest to which he was anxious to refer, every facility in his (lord Ellenborough's) power should not be wanting to the noble lord, to enable him to come at the required fact; but he was afraid that this was not the sort of facility that was either wished for or expected. He had reason to know that the facility with which inquiry in certain cases had been made, was painful to the parties making it. They might have their own reasons for wishing obstacles in the way of the information sought for; but with respect to one information required by the noble lord, if he had as yet met any obstacle, that obstacle he (lord Ellenborough) should cheerfully assist to remove; but it was not to be informed that the noble lord had brought his present motion. The noble lord had talked in a high tone of an *obiter dictum* of lord Hale's. If lord Hale had ever said so, which he (lord Ellenborough) believed he never had, his judgement must have been as dormant as in such case he must have wished the law itself to have been; but he never said so: it was not to be credited that a man so perfect in his knowledge of the laws and

the constitution as lord Hale was, could possibly have said so. The law of informations, not the law of the land! What was law, if this was not? for it had been made law by the same authority that had made all the laws that held the government together. It was as much law as that which gave the noble lord the right of speaking in that house—it was as much law as the law which put the crown of this realm on the brow of the sovereign. But he would recommend the noble lord to trace back the law of informations. He could recommend him a book upon that subject, and would refer him to the case to be found in page 119 of "Shower's History of the Law of Informations." He would there find the law of informations to be as old as the common law. If the noble lord questions the expediency of the law, why not propose that it be repealed? But while it is law, law undoubted and acknowledged, let him not question its legality. On receiving notice of the noble lord's present motion, he was curious to know how often this bill had been acted on. He inspected the necessary documents accordingly. And now he would ask their lordships, how often did they think this bill had been acted upon since its enactment? But once in the whole four years; there was but one solitary instance of its being acted upon—and he would tell their lordships in what case that was—the case of a man, one Gorman, who, after having been prosecuted for a libel, and after an information had been filed against him, had the hardihood to publish it again. And yet this was the mighty abuse of that act! this, forsooth, was one of the ruinous stretches of power which threatened the government with

with subversion, and put the subjects of George the Third on a par with those of Bonaparté! He knew nothing more to be deprecated in that house, than violent and vague declamations resting upon no grounds. (*Hear! hear!* from lord Holland.) He was aware to what he subjected himself by what had fallen from him. The noble lord might call all that he had said a mere *tirade*; but in all that he had said, did he not bottom himself on facts? (*Hear! hear!* from lord Holland.) The cries of the noble lord could not convince him that he had not. He was used to tumults and alarms—they never yet could put him down. Were he to die the next moment, he never would yield for one moment to tumult. The noble lord, if not towards him (lord Ellenborough), might at least in courtesy towards the house adopt a different tone of exclamation. He repeated, that he knew nothing more mischievous in its tendency than inoculating the public mind with groundless apprehensions of imaginary evils. Where there has appeared to him any instance of going beyond the limits of a wise discretion, it had never passed unbranded by him. His abhorrence of the licentiousness of the press was founded upon his love of liberty, which burned as strong in his breast as in that of the noble lord. If there was one mode more efficacious than another to ruin the liberty of the country, it was by generating that groundless distrust in the great officers of justice, which such needless and vexatious jealousy was calculated to inspire.

Lord Stanhope, in justice to his noble friend, could not help stating, that in point of fact he certainly did not question the legality of informations *ex officio*. What he did

question, he did not believe even the chief justice himself could contradict him in, and that was, that the mode of exercising the power of filing informations *ex officio* might be such as to become illegal. What! when those informations, invented for the purposes of expedition; were suffered to hang protracted over the head of an individual, would any man say that such an exercise of them did not become illegal? No man could say otherwise. Yet this was all his noble friend asserted; and the misrepresentation to which he had been subjected must of course have arisen from his being misunderstood. He had asserted, also, that the hanging those informations suspended in *terrorem* over the heads of individuals, an act so different from their original intention, could be done for no other earthly purpose than that of upholding influence.

Lord Erskine said he was convinced that his noble friend had not the least idea of disparaging the administration of justice, or reflecting in any degree upon the purity either of the law or its officers. All he had asked for was, the number of informations filed within a certain time. In this he did not call into question the legality of informations *ex officio*. By no means; they were as old as the constitution of the country, and had come down to us with the ancient statutes and institutions of the realm. It was an undisputed and indisputable right of the crown, to enter a suggestion on the commission of a misdemeanour by an individual: the reason of this was, that there were some cases so peculiar and pressing in their nature, as to call for an instantaneous proceeding. His noble friend's motion went to suppose

nothing—he only asked for the number of informations, and this did not necessarily anticipate any abuse. No: even though, on the grant of the motion, that number should, within a given time, be ten times as great as the number within a former given time, still it might happen that the cause of these multiplied informations was the increase of publications; and he believed it was a known fact, that for one newspaper published ten years ago, there were ten published at present. He did not pledge himself as to how he should vote on the subject which might arise in case this motion was granted; but the question now was, Would they reject that which went merely to seek information and ascertain truth? With respect to the question of special juries, the right of rejection was here withheld, and from the very nature of the case some prejudice must naturally exist. He did not mean to accuse the master of the crown office; no doubt he was a very honest man; but still he must select that special jury from those who may be supposed to be in some degree connected with the revenue. He did not wish to see *ex officio* informations done away; but still he should wish to see the administration of justice popular; and he here quoted the case of Hatfield, which he said impressed his mind with an exemplification of it that he could never forget.

The lord chancellor and other noble lords spoke on the subject, and at the close of the debate

Lord Holland said he must again declare, that his object was not to alter the law; nor would he consider those who might vote for his motion as pledged for his opinions. His purpose was regulation, and

not change; which regulation should apply to the time within which the information should be filed—the period between that and the prosecuting it—and lastly, the time between the verdict and the bringing up the person for judgment. Before he sat down, he trusted he should be allowed to say a few words in justification of the motives which induced him to call the attention of their lordships to this subject. He hoped they would give him credit for being superior to any party impulse upon so grave and important a question. However essential he might consider parties in a free government, this was one of the few occasions in which the exercise of such a spirit would be most unbecoming; of none such was he conscious.

The house then divided, Contents 12—Non-contents 24—Majority against the motion 12.

The same subject, and with similar success, was ably discussed in the lower house, on a motion introduced and supported most eloquently by lord Folkestone.—Adjourned.

House of commons, March 5.—Mr. Brougham rose, agreeably to notice, to move for leave to bring in a bill for rendering more effectual the act for the abolition of the slave trade. He moved that the resolution of the house in the year 1806, declaring the slave trade to be contrary to justice, humanity, and sound policy; and also, that the resolution of the house of date 15th June 1810, by which they express their indignation at the attempts made by individuals to render of none effect the act of the legislature for the abolishing of that traffic, and declare that they will early in the next session of parliament adopt measures for the better

ter carrying of the act into execution, be read. These being read, the honourable member said that he now rose, in pursuance of the notice he had given, and of the resolutions which had just been read, to move for leave to bring in a bill for the more effectually preventing the dealing in slaves. The honourable member gave a long detail of the enormities which had been practised by captains and others since the abolition of the slave trade, and concluded by moving for leave to bring in a bill to render more effectual the act for the abolition of the slave trade.

Mr. Wilberforce strongly supported the measure now recommended to the house, and begged of his honourable and learned friend to accept of his warmest thanks for the great trouble and anxiety he had shown in bringing the matter before the house. He hoped, that as they had a great deal to answer for in allowing so horrid a traffic to exist for such a length of time in this country, the house would now do all they could to make a compensation for the evils they had so long suffered to exist, by providing, by every means in their power, for its total prevention in future. The measure of his honourable and learned friend, he trusted, would have this effect. He had no doubt it would be unanimously agreed to; but, if it should prove ineffectual, other measures must be resorted to.

Mr. Perceval fully agreed in the necessity of taking every step that should be found necessary for totally stopping so unjust a traffic. He could not suffer the business to pass, however, without distinctly stating, that the object of the honourable and learned gentleman, as imparted to him, did not go to

make the offence a capital felony, but one punishable by transportation or imprisonment.

Mr. Brougham explained, that such was his object in the first instance. He should propose transportation for any period not exceeding 14 years, or imprisonment for not more than three nor less than two years. It was impossible, however, for him to pledge himself that he might not afterwards, if the present measure was found inadequate, move that the punishment be made capital.

Mr. Canning, though no person (hesaid) viewed the traffic with more horror than he did, was still of opinion, that having been so long suffered to exist, the house ought not at once to go the length of punishing it with death. To the proposition of the honourable and learned gentleman as now stated by him, he (Mr. Canning) gave his hearty assent.

The motion was then put, and carried *nemine contradicente*; and Mr. Brougham, Mr. Wilberforce, &c. had leave to prepare and bring in the bill: this was afterwards brought in, discussed, carried through the two houses, and passed into a law.

Mr. Whitbread rose, for the purpose of objecting to the arrangement proposed by the right honourable gentleman opposite respecting orders and notices. He considered that it would produce much inconvenience, and that it went directly to subvert public liberty, by placing the business of that house at the disposal of the minister of the day. He wished to know, had any additional trouble to ministers arisen in this session, which rendered such an innovation necessary?—Three such sessions as the three last could not properly be anticipated. They were distinguished

guished by tedious and public examinations at their bar, a circumstance which had not been known for twenty years before. The right honourable gentleman pretended that he was compelled to propose this innovation by the additional pressure of public business; but the fact was, that this pressure was owing to the right honourable gentleman himself, who decreased the session as the urgency augmented. He should, therefore, oppose the innovation, *in limine*, on the simple ground of its giving the crown, through its ministers, a control over the house.

The chancellor of the exchequer replied, and the motion was carried.

March 7.—Mr. Ponsonby.—In rising to address the house, pursuant to my previous notice, it affords me the highest satisfaction to see in his place that right honourable member (Mr. W. Pole) whose circular letter, lying by the order of this house on its table, is the cause of the motion with which I shall have the honour to conclude. Whether that motion shall succeed or not, it will at least produce the beneficial effect of giving the right honourable member the opportunity of declaring the motives which actuated the Irish government to have recourse to the measures recommended in his circular letter. That letter is a most important document—it is a mandate to the entire magistracy of Ireland, desiring them, under certain suppositions, to arrest three-fourths of the population of Ireland. What the circumstances were which called for this unexpected measure, and at the particular moment produced that decision of the Irish government which led to the promulgation of this letter, must be informa-

tion most important to the state of the empire. Those circumstances are yet new to us; there is nothing in the letter calculated to inform us of the necessity of its circulation. It was notorious that the catholic committee had been sitting for months, nay for years, under the very eye of the Irish government—that it had declared its intention of adding to its numbers twenty-four days before this circular letter was issued. In this document the catholic committee is designated as an illegal meeting. That meeting had, in the view of the Irish government, continued its sitting. Of the statements given in a Dublin newspaper, either the lord lieutenant or his subordinate ministers could not be ignorant. I am therefore most anxious to know, why such committee was suffered to proceed unquestioned—why, this very measure of adding to their numbers so openly avowed, but which has since, in this house, been made the justification of this circular letter, they were allowed to go on, from the 1st of January to the 12th of February following? The administration did not, perhaps, think itself permanent; there was at the time a notion of a change: but surely, if such fatal consequences as were attributed were likely to arise from the proceedings of that committee, no administration could be actuated by such unmanly and selfish views as from such a consideration to avoid the necessary means of averting the evil, and thereby transmit the mischief as a legacy to their successors. It was not however till the 12th of February, immediately after his royal highness the prince regent was placed at the head of the executive government, under fetters and limitations, that this letter was issued.

issued. What made it incumbent that such a measure should take place the moment the right honourable member touched the Irish shores, this night we have the opportunity of hearing explained. It could not surely proceed from any sinister design to involve the government of the prince regent in the odium and unpopularity which might be calculated to proceed from such a measure! The house must be desirous to ascertain what the circumstances were which justified the lord lieutenant not to have had recourse to it before; and what was the nature of the proceedings which justified the right honourable member to issue it, immediately on his arrival. I attribute no intentions to that government, good or bad, because I own I cannot comprehend them. I cannot comprehend how a government can put forth a proclamation against an unlawful assembly, threatening to have all its members arrested, and afterwards suffer that assembly to sit, and publish their proceedings in the same manner as before. I certainly cannot comprehend these things, and therefore I attribute no intention, because that intention is incomprehensible; and all that I can say is, that I am extremely impatient to finish my motion, that I may be enabled to hear from the right honourable gentleman a solution of this enigma. The proceeding which the Irish government has taken, is one of the very greatest moment. I confess I cannot see how the right honourable gentleman can get out of this difficulty. Why, when the government had forborne so long, did they at last interfere?—why, when orders were issued, were these orders never enforced?—and why are the catholic assemblies still allowed to continue?

I wish to know if the chancellor, the judges, and the law officers who are members of the council, and whose authority is deservedly high in the country, were consulted? I wish to know what accounts were transmitted to this country by the lord-lieutenant, whose duty it is to know all these things, touching the dangers existing in Ireland. These are things of the utmost moment to Ireland, and of the utmost moment to the whole empire; and I will not allow the right honourable gentleman to let this subject go without investigation. I take the liberty, therefore, of moving, that “an address be presented to his royal highness the prince regent to lay before the house a copy of any proclamation or proclamations issued by the lord lieutenant of Ireland passed in 1811, concerning the putting in force the act of the 33d year of his majesty; as also copies of consultations with the attorney and solicitor general of Ireland on that subject; and copies of all letters, and other information sent by the government of Ireland to the government of this country, relative to the catholic delegates, &c.”

Mr. Wellesley Pole was ready to admit, in the fullest extent, the justice of the appeal of the right honourable gentleman, and also his perfect right to demand from him an explanation of the measures to which his speech alluded. He entered into a full detail of the case, vindicating the measure by a statement of facts. He then proceeded to answer that part of the right honourable gentleman's question, how the Irish government came to defer taking notice of these proceedings for so long a time? He could assure the house, that the sole reason was, that they were the proceedings of the catholics; and that, if they had been a com-

mittee

mittee of protestants, dissenters, orange-men, or any other description of persons, he would not have thought himself justified in suffering them to proceed so far; and that he had acted only in the way he had done, from a conviction that it was the best mode he could adopt. He now came to the second part of the right honourable gentleman's argument. The house would recollect, that the proceedings to which he had alluded came up to the 9th of February. Neither he nor any other member of the Irish government ever saw Hay's letter till the 10th. (*Hear! hear! from the opposition benches.*) The honourable gentleman, perhaps, might have been favoured with a copy before, because it was not improbable he was acquainted with the author. (*Hear, hear! from the same side.*) He understood that "Hear, hear!" and supposed it signified that government had not good information, or ought to have had it sooner: but so it was, and he would leave the house to judge of it from a fair statement of the whole transaction. Government on the 10th got possession of a copy of the letter. They at the same time received secret information that it had been circulated in every part of Ireland; that many members had been chosen in consequence in different places, and that several would certainly meet on the 16th or 23d at furthest; that the letter had been drawn up by such persons of the committee as were lawyers, in order to keep it as far as possible out of the scope and meaning of the convention act; that on the 23d they would have their meeting, and would be able to transmit the resolutions they should come to to every part of the country.—The government had also information,

that there were various modes of election, so arranged as to insure secrecy; and several names were transmitted from Dublin to different places in the country, to be chosen for those places, in order, as they said, that there might always be a majority residing in Dublin to carry on the purposes of the committee. The right honourable gentleman (Mr. Ponsonby) had asked him, whether, in writing the letter issued in his name, he had consulted the attorney-general and other law officers of the Irish government? That right honourable gentleman some time ago held an office of the greatest importance in that country. The right honourable gentleman near him (Mr. Elliott) held the office of chief secretary at the same time. He would ask the latter, how he, in such a case, would have advised the lord lieutenant to proceed? He (Mr. Pole) conceived he might answer for him, that he would have advised him to send for lord chancellor Ponsonby, who would have advised that the attorney and solicitor general (Messrs. Bushe and Plunkett) should be called in, and that measures should be adopted upon their united opinions. He (Mr. Pole) could not take the opinion of lord chancellor Ponsonby, because he was in England; but he had taken the opinion of lord chancellor Manners. He could not take the opinions of Messrs. Bushe and Plunkett, for they were both out of town; but he had taken the opinions of Mr. Saurin and Mr. Bushe; and it was on the united opinions of those three eminent characters that the letter issued in his name had been framed; and he was proud to declare, that the last words of lord Manners to him were, "that he would never forgive him (Mr. Pole) if he did not

not put his name forward, and let him stand the foremost as having given this advice." The duke of Richmond had, by his advice, taken the opinions of all these great men before he adopted the measures which had drawn so much censure from the right honourable gentleman. They had not thought it necessary to apply to the chief justice, from a motive of delicacy, lest, in case any thing should happen which might render it necessary to bring persons before him for trial, he might, by being called to the council, be put in possession of evidence which might afterwards operate in the way of prepossession against those who were to take their trials. After these great and learned men had maturely considered the subject, it was thought necessary by the lord chancellor and the attorney general, that the latter should draw up the letter, which was issued in his (Mr. Pole's) name, and frame it in such a manner as to bring clearly before the eyes of the catholic committee the nature of their proceedings, and the tendency they had to violate all the provisions of the convention act. The letter thus drawn up by this high authority was issued; and he was happy to say, that not one person had been taken up and held to bail in consequence of it, except the printer of the Galway paper, who had inserted an advertisement calling a meeting, directly in the teeth of it. The lord lieutenant and council had, from the beginning to the end, acted in a spirit of the greatest lenity towards the catholics. They supposed this letter would have the desired effect; and it was positively determined at the time it was issued not to act further upon it. It had been said, that it was very extraordinary the Irish government

should then call the catholic committee illegal. This point had not escaped the acute sagacity of lord chancellor Manners and Mr. Saunderson; but they were well convinced, that although the catholic committee, merely as a catholic committee, was not illegal, yet from their having constituted themselves into a committee of grievances, in which the most violent language had been held; and from the secret information he had received, they were determined to call it so. As to the charge of his presuming to take such a step upon his own responsibility, he was surprised it should be imputed to him, for he was no lawyer; and he assured the house, that whatever degree of arrogance might be imputed to him, he never entertained an idea of taking upon himself an act of such magnitude and importance.—The honourable member then proceeded to observe, that the Irish government could not wait for instructions from this country, because this self-constituted parliament would have held one meeting, which might have had a very disagreeable and dangerous effect. He must contend, that the proceedings adopted by the Irish government had produced beneficial effects; the country had remained perfectly tranquil; and he trusted that those of the catholics who were at all misguided had returned to a sense of their duty. At the conclusion of a long debate, in which Mr. Whitbread, Mr. Parnell, Mr. Shaw, Mr. Tighe, and others, took part, the question was put, and the motion lost by a majority of 85.

March 11. The chancellor of the exchequer moved the order of the day for the house's resolving itself into a committee to consider the report



report of the committee on the state of commercial credit.

The chancellor of the exchequer said, in rising to state the result of the inquiry which the committee had made, and the extent of the proposal which he meant to submit to the adoption of the house, he would not at all disguise that the measure was forced upon him by circumstances. He was as ready as any other person in that house to protest against the interference of parliament in the ordinary distresses of commerce. He was on principle entirely adverse to offering parliamentary aid to the unfortunate speculations of merchants. Such interference often repeated, and gradually permitted to be looked to as a resource, tended strongly to diminish that caution which was the best safeguard and pledge of wise and well-concerted commercial enterprise. The check of that rational fear of misfortune, was the best that could ever be applied to restrain extravagance in mercantile speculations. Yet, though he approved of this as a general principle, he had not brought himself to allow it as an universal one: and the consideration for the house must be, whether the present circumstances did not form an exception to the general rule. Those who had already allowed that the measure of 1793 was justifiable, could not now say that the interference of parliament might not be justifiable on peculiar occasions. They might argue on the different aspect of things now, and in 1793: but they could not stand up as advocates for the universality of the principle. From the facts which had come to the knowledge of the house, and particularly from the report before them, he felt that there was sufficient ground for con-

sidering the present circumstances as fully justifying a departure from the general rule. He would now submit his idea of the measure under three heads. The first, the nature and extent of the distress and calamity under which our merchants laboured; the second, the causes of the calamity; the third was the consideration whether the measure proposed by the committee was expedient to be adopted by the house. As to the first head, it was evident that inconveniences existed to an extent that made some relief highly desirable. The distress apparently began with the merchants who sunk under their speculations. The merchants were not able to pay the manufacturers, and the manufacturers were of course unable to support their workmen. This peculiarly took place in the great and extensive manufactories of cottons. Of the manufacturers in that trade, some were obliged to discharge one half of their workmen, some two-thirds, and some, who had a smaller capital, were obliged to stop altogether. It often happened that the workmen even in those houses that went on were put on a diminished rate of wages. The nature of the distress was thus obvious. As to the causes of the calamity and distress in the manufacturing districts, they appeared to be the closing of the continental market against our productions, and the great accumulation of British goods which glutted the South American market. This last pressure spread so widely, and so much beyond the usual extent of the trade, as to occasion a suspension of credit throughout the greater part of the mercantile body. Those calamities chiefly arose from the excessive speculations which followed upon the removal of the Portuguese court to the Brazils, and the

the opening of Spanish America to our commerce. Serious losses naturally resulted from the failure of the market there, and also in a greater degree from the unexpected circumstance of the ports of the continent being closed against the commodities which they were able to bring back. Those were the distresses which came seeking parliamentary aid. If it were thought that the first source of the losses, namely, the excessive and extravagant spirit of speculation in the American trade, did not deserve the assistance of the house; would not the house consider how natural such an effort in such a direction was, and how hard it was to restrain the spirit of commercial enterprise pushing itself out into new channels? The unexpected circumstance of finding the ports at home closed against the returns from abroad, was the principal source of the evil; and it was one against which the foresight of the merchant could have scarcely been prepared. The report before the house established a case of distress, and also a case where relief was more difficult than in 1793; but nothing appeared to make the house suppose that the distress would be felt beyond a limited term; that, for instance, it would not be greatly alleviated within a year. The merchants required relief, and it ought not to be refused to them, if it appeared that it would not leave them in a worse condition than it found them. If it gave them a chance of being in a better state at the end of a limited time, it ought to be granted. He would move that a power be given for the issue of exchequer bills to the amount of six millions, instead of five, the vote of 1793. In that year though five millions were voted, only two millions two

hundred thousand pounds were actually required. It was probable that, as in 1793, the whole sum would not be wanted; for then the very knowledge that it was in the power of government to issue so large a sum re-established credit, and it was found that the merchants could proceed with fewer calls upon public assistance than was expected. The house would not starve the measure by any stinted liberality, but would proceed to make their relief full, entire, and effectual. He would propose that the repayments should be made by instalments; the first to be paid about the middle of next January; the three other instalments at intervals of three months each from that time. He would therefore now move the house, that a sum of not less than six millions be employed to certain commissioners, to be advanced for the assistance of such merchants as applied for the same, on their giving sufficient security for the repayment of the money so advanced. This motion was opposed by several members, but was at length carried.

On the question for bringing up the report of the mutiny bill, Mr. Parnell rose to propose a clause in favour of the right of Roman catholic soldiers to attend divine service in their own place of worship, and not to be compelled to attend the service of the established church. He did not mean to throw the least blame upon the Irish government on this score: they had done every thing which depended upon them to redress this grievance. Nevertheless, by the first article of war, the commanding officers had a power to oblige their soldiers to attend divine service at the established church; yet as he was convinced that it was not the wish of the house that catholics should be forced to at-

tend

tend protestant worship, he thought it would be of great importance that they should not be left to the will of their officers, but that they should be protected by the law. He was convinced a legislative provision of this sort would help the recruiting service in Ireland considerably. After instancing three cases where catholics had been punished on this account, he concluded by moving his clause, "provided always, that no soldier professing the Roman catholic religion shall be punished for not attending divine service at the established church."

Mr. W. Pole thought this clause unnecessary, as the Irish government had never wished to force the catholics to attend protestant service, and did give immediate relief to the few catholics who had been aggrieved in this manner. As to the case of Spence (which had been mentioned also on a former day), the sentence of 500 lashes was not for refusing to go to church, but for writing to his commanding officer a letter that was conceived mutinous. As to the second case, it was true that at Enniskillen a very young officer just come from the West Indies did punish (by turning their coats) some catholic soldiers for not going to church. This officer was, however, severely reprimanded for it, and removed from that district. The general orders issued by the government were most explicit upon that point.

Sir John Newport allowed that the Irish government had interfered in a very handsome manner on the particular cases brought to their notice. He thought parliament should now interfere for the general protection of all catholic soldiers.

Mr. W. Smith said, that if Spence had not happened to have a friend

to state his case to the government, he would probably have suffered the whole of the punishment. He thought the catholic soldier should be protected by law.

Lord Palmerston said, that instances which could be produced of the interference complained of were so very few, that there was no occasion for any law upon the subject; and that it would be much better to leave it as a matter of regulation, as there could be no doubt of the wishes of the government or the commander in chief upon the subject. In the hospitals, wherever there were catholic soldiers, catholic clergymen were admitted.

Mr. Hutchinson dwelt on the great importance of the catholic body to the recruiting our armies. He therefore conceived, that it would tend greatly to increase our armies, if the catholics had that protection by law which the gentlemen on the other side wished them to have by their regulations.

Mr. Manners Sutton said, that at present the only question was, as to the mode; and it appeared to him that no case had been made out to call for an alteration of the law, but that a regulation would be fully adequate to prevent the evil complained of.

Mr. Whitbread suggested as a better course, to address the prince regent to alter the articles of war in this respect. Perhaps general orders from the commander in chief in this country, similar to the orders of the Irish government, might produce the same effect.

After a few mutual explanations, the house divided,

For the clause	-	-	-	13
Against it	-	-	-	46

Majority - - - 33

Mr. Manners Sutton then proposed

posed two amendments, of which he had given notice on a former day. The first was to give power to courts-martial to inflict the punishment of imprisonment in the place of corporal punishment, when they should judge it proper; at present they had no option; but whenever the punishment was not capital, they were bound to name some corporal punishment. The amendment which he now proposed would not take from them the power of inflicting corporal punishments, but would give them a power which they now have not—that of substituting, at their discretion, the punishment of imprisonment for corporal punishment. The other amendment he had to propose, was to strike out certain words of the 120th clause of the articles of war, by which embezzlement of stores by officers appeared to be punishable only “when serving out of the united kingdom.” These words he wished to strike out.

Colonel Wood thought the idea of allowing courts-martial to substitute imprisonment for corporal punishment was a most admirable one. He thought, however, that some crimes, drunkenness, for example, might be better punished by mulcting the soldier of part of his pay; or otherwise, when his imprisonment was out, he might go to the alehouse again.

Mr. Manners Sutton said that he did not wish to enter into the minutiae of regulations. His object was merely to give courts-martial a power which they had not now, that of substituting imprisonment for corporal punishment.

The amendments were agreed to, and the bill was ordered to be read a third time.

House of commons, March 12.—  
The chancellor of the exchequer

brought up a message from the prince regent: it was read from the chair, and was in substance as follows:

“The prince regent, in the name and in behalf of the king, thinks proper to inform the house of commons, that the maintenance of a body of Portuguese troops in British pay had been attended with the most important effects in the conduct of the war. The prince regent hopes the house of commons will enable him to continue the same for the present year, according as circumstances and the nature of the contest may require.”

On the motion of the chancellor of the exchequer, the message was referred to the committee of supply.

The chancellor of the exchequer brought up the report of the commercial credit committee, resolving that it was necessary to give assistance to the merchants, and to issue six millions of exchequer-bills for that purpose. The report was received, and leave given to bring in bills founded on the resolutions. A committee consisting of the chancellor of the exchequer and the law officers of the crown were appointed to prepare the bills, which were afterwards brought in, carried, and passed into laws.

House of lords, March 15.—Earl Stanhope said that he rose for the purpose of submitting to their lordships a motion of very great importance, inasmuch as it related to a matter of the most serious and vital concern to every subject of a free country. A transaction had recently taken place in Ireland, which, however unfortunate and lamentable, had certainly placed the character of that honest and honourable man lord Harrington, the commander-in-chief there, in a most

most estimable point of view. He would avoid any detail of the matter, that he might not be charged with introducing topics of an inflaming nature: but if such practice were permitted as the insisting on Roman catholic soldiers to attend protestant worship, or as the prevention of their attending their own chapels, he must say that it was the most horrible tyranny and the most desperate oppression that could be exercised of any description whatsoever. How would their lordships like to be served so, who were protestants, if they were ordered to go to the service of the mass, which they declared to be an idolatrous service? And was not every man's conscience to be equally respected? It was not only the best feelings of humanity, and the soundest principles of liberty, on which he should found his clause; but he should also appeal to the principles of the wisest policy. Ireland became daily more and more important in our consideration. He believed that half our army and half our navy were supplied by the Irish: and we should have more and more to look to that country for the means of recruiting our ranks and manning our ships. And could it be reconciled to common justice and liberty, that these people were to be denied the exercise of their own religion, or compelled to go to services of another sort, contrary to their consciences? He could not conceive that any man could make out a reasonable objection to this motion; and he hoped to find that the noble earl (Liverpool) would show the sincerity of his speech by agreeing to it; for it would bring his opinions to the test. He then moved, that no person in the army, catholic, protestant or other dissenter, should be compelled to attend

a religious service of which he did not approve; nor should be prevented from attending such religious service as was according to his conscience and religious profession, unless such prevention arose out of the necessity of his attending to his military duties.

The earl of Liverpool said, that he must resist the motion, because no sufficient grounds had been laid for it. He agreed in the correctness of the noble earl's statement of the sentiments he had already expressed; and he should certainly act upon them. He did not object to the principle of the motion; but had only to observe, that it was unnecessary, because the uniform principle was already that which the clause sought to establish. The general orders of an illustrious personage near him (the duke of York), issued when he was commander in chief, (in the year 1801, we think,) were decisive on that point. The practice was therefore established, and there was no need to introduce such a clause; the more especially as it might appear to have a retrospective view, and to impute blame where none was due. That order gave the liberty to the catholic to attend his chapel, and the protestant dissenter to attend his meeting-house. The case in Ireland, alluded to by the noble earl, stood on different grounds than those which the noble earl supposed. It was the case of a man, a catholic, falling out of the ranks after parade on a Sunday morning, when he might have marched with the others to the catholic place of worship; and not an attempt to prevent him from going there, or to compel him to go elsewhere.

The marquis of Lansdowne said that he felt it his duty to support the motion. As the noble secretary

tary of state admitted the justice of the principle, he was quite at a loss to see what danger there was in making that principle clear and universally known. He had understood, that when any doubt arose, the best way to remove it, on so important a subject, was by a declaratory enactment, which set all doubts to rest. While he was up, he should just add, that the new clause of the mutiny bill, giving the power to courts-martial of imprisonment instead of corporal punishment, met his entire approbation. He thought it tended to work a great improvement, in every view, in the constitution of our army; and it therefore merited, as it possessed, his perfect applause.

Earl Spencer did not see the necessity of the clause, after the general orders issued while he had the honour of holding an official station. If any violation occurred, that might offer a good reason for adding such a clause hereafter.

Earl Stanhope said that he had gained a great point. The motion he had made had produced an admirable effect. The principle of his motion was universally admitted. No man in that house was found hardy enough to say, that the soldiers should be forced against their consciences. As to the other clause, about imprisonment instead of corporal punishment, he highly approved of it. But only see how long a time it took before one could get a thing done, that was good and fit to be done! He had heard in that house, and out of that house, censures some time back on a most brave and gallant officer named Wilson, for publishing his opinion on this subject. Now people found out that it was all right! So that one must persevere against all prejudices, in order to obtain what was

right! He should only say, that he was determined to divide the committee; and should conclude by observing, that now every soldier and every man in the country would know what the principle was; and by recommending to their lordships that excellent advice, "Do unto others as you wish to be done by."

On the question being put on the amendment, the numbers were,

Not content	-	-	-	-	22
Content	-	-	-	-	11

Majority against the clause 11

House of commons, March 18.—The chancellor of the exchequer, having moved the order of the day for going into a committee of supply, said, that in rising to call the attention of the committee to that part of his royal highness the prince regent's message, which referred to the subject of granting still further assistance to Portugal, he could not forbear to express a confident expectation that there would not be much opposition made to the motion with which he should have the honour to conclude. Although the proposition which he had last year brought forward on the same subject had met with some opposition, and though the grant which it was in this instance his intention to submit to the committee amounted to a considerable increase beyond the sum voted last year, he yet conceived, that in the circumstances under which he made the application, and considering the alteration that had taken place in the state of affairs, it was not likely that even those who opposed the former grant would be disposed to object to his motion in this instance. It had been objected, that in taking such a number of Portuguese troops

into British pay, we should be bringing upon ourselves the whole burthen of the Portuguese war, and leaving nothing to be effected by Portugal in the shape of exertion for her own defence and for her own preservation. In proposing the measure formerly, they were left altogether to conjectures as to its result; and as the conjectures then entertained had since been realised, and every expectation fulfilled, he trusted he should have credit for the propriety of the grounds upon which he had acted. Though some honourable gentlemen took rather a gloomy view of the case, he must say, that the hopes on the other hand were as sanguine as the despair; but at that time the event was uncertain: they had nothing to fortify their opinions—no fact to urge in support of their arguments. Now the case was altered; the change which had taken place enabled them to refer to the event, in order to show that all the arguments in support of the former grant had been completely confirmed. The expectations held forth, however sanguine, had been exceeded, rather than disappointed, by the result. Under these circumstances, when experience had proved the propriety of the former grant, and when even the assertion, that to take so large a portion of the Portuguese force into British pay would be to leave nothing to the Portuguese nation to do in the maintenance of their own cause, had turned out to be equally unfounded with the suspicions as to the efficiency of the Portuguese troops, he trusted that the committee would concur in the motion he had to make. With respect to the exertions of the Portuguese government, he could assure the committee, and upon the most

unquestionable authority, that instead of 30,000 men, the number taken into British pay, the regular Portuguese force was not less than 44 or 45,000 men. In addition to this regular force, the Portuguese militia amounted to 40,000 men. When they looked to the aggregate of this force, the committee would perceive that the whole of the burthen was not borne by this country. By the measure adopted last session, this country had undoubtedly taken a share of the burthen upon itself; but then the statement he had just made must satisfy them, that so far from leaving nothing to Portugal to do, her exertions had been strenuous, and the assistance she received had not induced her to relax her own efforts. The committee must be aware of the manner in which the war was waged in Portugal. They must be sensible how much the means of exertion must be crippled by the occupation of a considerable portion of the country by the French army, which, by marching from place to place, must necessarily have intercepted its resources and revenues; and that it was not to be expected that Portugal, so circumstanced, could be able to make the same efforts as if no part of her territory was in the possession of an enemy, nor any portion of her means diverted from her disposal to the support of that enemy. If the committee should be of opinion, that the exertions already made had proved beneficial to the cause, and were desirable to be continued, it would naturally follow, that they must feel the propriety of assisting Portugal largely. This was the view of the case which induced him to think, that those who differed from him as to the former grant, would concur in the present proposition; and

and that they would agree not only to a grant of a sum to the same extent as that voted last session, but that the sum to be granted in the present instance should, instead of one, be two millions. After the short view which he had thus taken of the manner in which the campaign in its progress had realised the expectations entertained last session, he was convinced that no doubt could be harboured as to one point—the propriety of still keeping alive in Portugal that feeling and that exertion which alone could afford any prospect of final success to her cause. He besought the committee to look to every part of the subject—to look to the progress of the campaign, and to the exertions which had been made in the course of it by Portugal; and he would then ask, whether the result had not completely justified all the opinions which in the last session he had advanced? Every public dispatch, as well as every private communication from the army, concurred in representing the Portuguese troops disciplined by British officers as worthy of the instructions they received, and of the example that was set to them. Whilst the same spirit continued to animate the brave inhabitants of the peninsula, even though the French should obtain victories, he trusted they would be followed by disasters similar to those which had already attended their progress. The spot which had been chosen, was, he would contend, that on which we could hope to carry on operations with most advantage to ourselves, and most inconvenience to the enemy. He was firmly persuaded that the committee would agree with him, that, as the war must be allowed on all hands, inevitably, to be carried on,—a war

not voluntary on our part, but imposed upon us by the injustice and aggression of the enemy,—this was the scene most advantageous for us, and most inconvenient for the enemy, in which to continue its operations. He was so deeply impressed with this opinion, that he trusted no objection would be made to his motion. The right hon. gentleman concluded by moving, “that a sum not exceeding two millions be granted to the prince regent, to enable him to take a certain number of Portuguese troops into British pay, and to afford such further assistance to the Portuguese nation as the circumstances of the campaign may render necessary.”

Mr. Ponsonby said, that when he coupled this proposed grant, increased as it was this year, with the formal stipulation into which we had entered, never to acknowledge any king of Portugal except an heir of the house of Braganza, he could see no end to our experiments and our extravagance, until the people were left without a single shilling to support them. Supposing we say every motive, both of policy and generosity, exists for assisting the Portuguese; yet, where was the necessity for binding ourselves by this unwise stipulation to the house of Braganza? The right hon. gentleman says, that Portugal is of all others the most fortunate theatre of war for us, and the most unfortunate for the enemy. It was our chosen spot—our selected theatre. What! was, then, the distance between Lisbon and Cartaxo, within which we were now confined, this fortunate, this chosen and selected theatre? Where was the great fortune which it had produced to us? When we sent our army thither, we sent it



to the frontiers; we sent it, some said, to the defence of Spain: we were then driven from both Spain and the Portuguese frontiers, until at last, this night we were told that our chosen theatre was the short distance between Lisbon and Cartaxo: "Encouraged, however," as the right hon. gentleman said, "by our successes," he came down to the house with confidence. How! "by our successes?" He was the last person in the country who would be inclined to cast suspicion either upon the Spaniards or the Portuguese, or our own brave soldiers; but what did he mean by "our successes?"—Was it success which drove us from Spain? Was it success which compelled us to retreat through the interior of Portugal? Was it success which made us view the fall of Ciudad Rodrigo? Was it success which lost us Almeida?—Were those facts?—Was this encouragement to us now to increase our grant to two millions? But, says the chancellor of the exchequer, the Portuguese have lost much of their revenue, and it is in our policy to supply their deficiency. According to this principle, we were called upon to increase our grants as the misfortunes of the Portuguese augmented. Has the right hon. gentleman reflected on the consequence of this principle? Has he considered or calculated how long this country could support such an expense? Did he consider the actual expense of sending our money to Portugal? Did he reflect that we lost 30% out of every hundred which we sent to Portugal? This was a fact; and he denied either the right hon. gentleman himself, or any of his financial friends, to deny it. But how

was even this 70% paid? Why, half in Portuguese paper. There were in Portugal a money price and a paper price; and in this depreciated paper-currency one half of our bills was paid. Let the right hon. gentleman reflect on this, when he talked of sending more money out of the country.

Mr. Sullivan took a review of the state of Portugal now, and its state in 1809, when the struggle first commenced; and dwelt on the benefits which our aid and the Portuguese patriotism had produced.

Mr. Freemantle did not rise for the purpose of opposing this vote; but at the same time he must declare, that he did not accede to it but upon compulsion. The system which we had pursued rendered the aid necessary; but still that system was impolitic and ruinous. When this contest first commenced, he, in common with others, hailed the principles on which our interference was founded; but those principles had been now abandoned. The system now adopted seemed to be that of fighting the war with our armies on the continent. No doubt it was wise in us to assist our allies, but still we must take care to extend that assistance in such a manner as not to commit ourselves.

Mr. Peel observed, that in the last year, when the house could only proceed upon conjecture, there was naturally great variance of opinion. There was then plausible ground for the doubts and differences which agitated the minds of men. The scepticism and despondent feelings of the honourable gentleman opposite were then in some measure explained, by the recollection that France had just concluded a peace with Austria, and

and was prepared to employ its whole force in the peninsula. We had now had experience of these additional levies, and could frame our calculations upon a sure foundation. The Portuguese had shown themselves to be equal to the combat, and warranted us in entertaining a sanguine expectation of their future exertions. When future ages should recur to the history of that campaign, it would be surveyed with the eye of impartiality and admiration. For three years had the foe been baffled, and was now left with the solitary consolation of hoping to effect our expulsion by the exhaustion of our finances. He was convinced that the battles which had taken place would not be ultimately found to have been fought in vain. Cadiz and Gibraltar were but as dust in a balance when compared to that state to which France was now committed. Much, however, had been done by the Spaniards, in forming a legal government in this last asylum; and much of the non-performance on their part might be, perhaps, with too much justice, imputed to our desponding and disheartening sentiments, which magnified their difficulties, and inspired despair where courage only should have been excited. He could not help feeling some degree of pain at the manner in which lord Wellington's conduct had been examined and condemned at home; and was apprehensive that his ardour might be abated on hearing of the insidious means employed to tarnish the lustre of his reputation. He believed that the time would yet come, when the proud circle of lord Wellington's laurels would receive another wreath of glory, when a yet more signal achievement would raise

him to a still higher pinnacle of fame. He cherished the sanguine expectation that the day would soon arrive, when another and transcending victory should silence the tongue of envy and the cavils of party animosity; when the British commander would be hailed by the unanimous voice of his country with the sentiment addressed on a memorable occasion to an illustrious character, "*Invidiam florid superasti.*"

General Tarleton declared that he meant no attack on lord Wellington in what he had said on a former night. He had grounded what fell from him merely on the information contained in the papers on the table relative to Ciudad Rodrigo.

The resolution was then put, and agreed to without a division.

House of commons, March 19.—On the second reading of the Spilsby poor bill being moved,

Sir Samuel Romilly said, that however singular the clauses to be found in bills of the nature of the present frequently were, there were clauses in the present bill so unusual as to call in a particular manner for the attention of the house. This bill enables the governor and master of the Spilsby poor-house to punish at pleasure the poor under their charge by solitary confinement, and other most severe punishments, for no other reason but their misbehaving themselves. He then proceeded to read a clause of the bill, by which, if the poor should be guilty of profane cursing and swearing, disorderly behaviour, or riot and drunkenness, or neglecting or refusing to perform their work, they were to be punished with solitary confinement, abatement of diet, or the stocks, at the

discretion of the governor. This is not the only singular clause. The bill also empowers the punishing for damaging the house or fences, as for a felony, or petty larceny. What was unexampled in this country, the directors were to have a power of letting out the poor to any person who, for his 9d. a day, might be disposed to extract profit from the feeble limbs and worn-out bodies of these unfortunate persons, in something of the same manner as job-negroes are let out in the colonies. What was yet more extraordinary, they were empowered to contract with all the other parishes of the county of Lincoln, the second most extensive county in England, for their poor, who were to be compelled to go into this house of industry, and be let out and punished in the same manner; so that the Spilsby house of industry was to be a great mart for the pauper slaves of the county of Lincoln. Now, having seen the severity of this act, look at the lenity; for, if severe to the paupers, to the officers it was lenity itself. Should the governor, clerk, or any other officer, purloin the work-tools or any of the other chattels of the house, a crime which is felony by law, the punishment was to be only a fine of three times the amount, or a short confinement! Now, what was the remedy provided by the bill against any abuse of power? Should any person be wrongfully confined in solitary confinement for a month, or a longer period, (and what a severe punishment solitary confinement must, for such a period, be to a person of an uncultivated mind, it was not necessary to remind the house,) if the poor person so wronged could be fortunate enough to find an attorney in the place willing to under-

take his cause, it was in his power to bring an action against such governor, &c.; but the period within which this action could be brought was limited to one month after the offence. Singular as these clauses are, it was by the merest accident that they came to his knowledge, for these things pass through the house without notice or inquiry; and he was solely indebted to a noble friend of his, who pointed out the clauses to him.

Sir J. Graham, who moved the second reading, observed, that he was not aware of the existence of any such clauses in the bill; neither did he think the two honourable members who had taken charge of the bill knew any thing of their existence. He should move now, that the bill be read a second time on Monday se'nnight, in order to give the parties interested an opportunity of coming forward to show upon what grounds they had thought such clauses necessary; which was agreed to, and the bill was afterwards abandoned.

Mr. H. Martin rose, pursuant to notice, to move for leave to bring in a bill to explain and amend the act of the 39th year of the king, with respect to certain penalties to which all printers and publishers had been made liable in the cases therein mentioned. It was to be recollected, that the act in question had passed at a time when the public mind had been much agitated by certain political societies. The object of the legislature in the enactments was to provide a remedy against the sale and circulation of seditious publications coming from those societies. The act was made in a moment of heat; and a general stigma appeared to be thrown on all printers, as if they were all to be suspected of

of wishing to disseminate sedition. The remedy thought of against the evil was, to require every printed book or paper whatever that was distributed, to have the name and abode of the printer stated thereon, under a penalty to the printer and to the publisher of 20*l.* for every copy that should be published without it. The magistrates, on conviction, were imperatively bound to inflict the whole penalty, and there was no appeal from a single magistrate to the quarter-sessions. In consequence of this highly penal statute, many individuals had been convicted in enormous penalties for the most trifling omission. He should state a few cases of peculiar hardship, to show what dreadful penalties might be incurred with the most innocent intention. Penalties to the amount of 100,000*l.* had been sued for under the following circumstances:—A person who wished to entrap the printers into a breach of the law, went round to several of them, and stated that he had an Elzevir edition of Cicero, which only wanted a title-page to be perfect. This man prevailed on many of them to print this title-page without putting their names and abodes (which would have made the edition suspected); and having prevailed on them to do so, he sued them for penalties to the amount of 100,000*l.*; but the magistrate, in this instance, refused to convict, although the law was imperative. Another printer, who lived in Paternoster-row, had incurred penalties to the amount of 20,000*l.* for having omitted the word London on a paper printed as a proposal for a new set of military drawings. A printer at Southampton, of the name of Cunningham, had actually been convicted in penalties to the amount

of 20,000*l.* for a hand-bill printed at his office in his absence, without his name to it. The hand-bill was only an address of the bakers to the inhabitants, stating the expense of flour and baking. It was most evident that those cases, and many others of the same description, were cases of the greatest individual hardship, and that it was not to such publications that the law was intended to apply. He must also state, that the printers and publishers of any libel contained in a hand-bill were exposed to indictment, as well as penalty, on every copy; whereas the printers of a libel in newspapers were only liable to one indictment for the whole impression. After a few more observations, he moved for leave to bring in his bill.

Lord Folkestone seconded the motion, and at the same time informed the house, that on account of the lateness of the hour he wished to postpone his own motion till Thursday.

The chancellor of the exchequer said, that the honourable gentleman (Mr. Martin) had certainly stated a case which was deserving of serious consideration, and he should therefore not oppose his motion. At the same time, he thought that it was rather hard upon the legislature, that when they pass acts for regulating any particular trade, the persons in that trade should show so much inattention and inadvertence as to incur such heavy penalties, which by common care and diligence they might have avoided.

Mr. H. Smith said, that it was not printers alone, but he believed almost all the members of that house were subject, under this act, to penalties greater than they could pay. Whoever was in the habit of issuing printed receipts for his

ment, had probably incurred greater penalties than his manors and estates were worth. The words of the act expressly stated every printed paper.

After a few observations from

Mr. D. Giddy and Mr. W. Smith, leave was given to bring in the bill; which was passed, it being agreed that penalties to the amount of 500*l.* might be recovered.

## CHAPTER V.

*Debate on the State of the Press in India—Thanks to Gen. Graham—Banbury Peerage—Thanks to Lord Wellington—Debate on Lord Sidmouth's Bill on the Toleration Act—Debate on Mr. Grattan's Motion on the Catholic Question.*

**H**OUSE of commons, Mar. 21. → Lord Archibald Hamilton, in rising to submit his motion for copies of all orders and regulations respecting the press in India, felt it necessary to state, not only what his object was, but what his object was not. It was not his intention in that instance to find fault with any of the regulations to which his motion referred. All he asked was, that an opportunity might be afforded him of knowing what were the laws which were in existence upon this subject. The late trials which had taken place at Madras would, in his opinion, afford a sufficient ground for his motion; but upon the general reason of the case, he felt he was still more strongly fortified in calling for the information he wanted to have produced. He wished the house to be informed, what was the law that existed respecting the press in India, and what the penalty to be incurred by the transgression. The noble lord here quoted the authority of a learned judge (Sullivan) in India, to show

that no power could exist in the government arbitrarily to restrain the liberty of the press in India—that liberty of the press, which was the right of every Englishman—which was the surest guard for his freedom, and the best check upon the courts in the administration of justice. It was to ascertain upon what grounds this breach of the law had taken place, that he wished to call for copies of the orders and regulations. He found it also laid down in the regulations, that certain rules were framed for the guidance of the secretary of the government in revising the newspapers. He was to prevent all observations respecting the public revenues and finances of the country—all observations respecting the embarkations on board ships—of stores, or expeditions, and their destination, whether they belonged to the company or to Europe—all statements of the probability of war or peace between the company and the native powers—all observations calculated to convey information to the enemy, and the republication

tion of paragraphs from the European papers which might be likely to excite dissatisfaction or discontent in the company's territories. If the press was to be prevented from publishing any thing under these several heads, he was at a loss to know upon what subject any observation could be published. Though he would repeat, that he did not now mean to say that any of these regulations were wrong, yet when the papers, if granted, should be produced, he was of opinion that others would be of the same sentiments with himself upon the subject. As to the trials at Madras, he should only observe, that hitherto the administration of justice was considered pure; but in this instance, the courts seemed to be ashamed of their proceedings, inasmuch as they would not allow the publication of the proceedings. If they were not ashamed of them, they ought to allow the publication, if only to allay the ferment which was excited by these trials. The publication could do no harm, and might do much good. The noble lord then stated, that two grand jurors and three petty jurymen had been sent away from Madras for their conduct on these trials. He would ask, whether, under the present ambiguity of the law, any man could have a fair trial? The noble lord concluded by moving for copies of all orders, regulations, rules, and directions promulgated in India since the year 1797, regarding the restraints of the press at the three presidencies of Bengal, Madras, and Bombay; whether acted upon by the government there, or sent out by the court of directors or by the board of control.

Mr. Dundas wished to state shortly his reasons for opposing the

motion of the noble lord, not only in its present form, but in any possible shape in which it could be framed. The noble lord had objected to the courts, their not allowing the report of the trials at Madras to be published. Whatever might be his present impression on that subject, he must forbear stating it now, as it would be improperly anticipating that which must take place on this subject hereafter. With respect to the state of the press in India, the noble lord seemed to infer that no restraint ought to be imposed on it by the government there or here; at least that was the conclusion which he drew from the premises which the noble lord had laid down. If that was the case, he must say, that a wilder scheme never entered into the imagination of man, than the idea of subjecting the Indian press to the same regulations as the English press. There was no man who knew any thing about India that would ever think of such a regulation. Except the rules which the noble lord stated, there were no other rules relating to the press, in India, of which he was aware. Would the noble lord, then, say that there ought to be no rules for the press in that country? Would he say that the press ought to be unlimited? No; the noble lord had himself allowed that there ought to be a censorship; and there could be no doubt of it; there could be no doubt that the very government would be shaken to its foundation, if unlicensed publications were allowed to circulate at the will of the publisher, over the whole continent of Hindostan. There could be but two descriptions of persons in India: either those who went to that country with the license of the company,

or

or those who lived in it in the actual service of the company. There could be no doubt then whatever, that the company had a right to lay any regulation they chose on those who in such a capacity chose to live under their power, and who, when they went into the territory, knew that the will of that company and submission to their mandates were the tenure on which their stay depended. It was completely at the option of the resident to remain in India, or retire from it, as he thought proper. If he chose to remain in it, he must submit to the laws; if he did not submit to the laws, he had no alternative but to leave it. The subjection of the press was absolutely necessary to the existence of our empire in that country. In fact, some publications had been circulated there, attacking the customs and the religion of the natives. Now there was no point more delicate than this; there was no subject on which the feeling of the country was more alive than the sanctity of their laws, their ancient customs, and their chosen religion. By revering those, we were enabled to govern them; that reverence was the basis and substratum of our dominion. He could not agree to the production of the papers; those with respect to the proceedings at Madras would come before the house in due time, and those extracts from which the noble lord had read, were already approved by the court of directors at home.

Sir Thomas Turton fully agreed, that so delightful a plant as the liberty of the press could never be brought to perfection in so sterile a soil as that of despotism. It was true that the liberty of the press in that country would not exist under the same advantages as in this.

Why? Because we had enslaved India; and in no enslaved country dare the press speak. Why, (said sir Thomas) why should you speak of the liberty of the press in a nation where you have established the vilest despotism? Why should you give Indians the advantages of knowledge? You would only thereby be giving them the means of detecting your own injustice. You have ransacked their country—you have despoiled its people—you have murdered their princes; and of course, for your own protection, you must keep them deluded, and deceived, and ignorant. You might as well tell me of the liberty of the press in Morocco or in Algiers, as under your government in India. Yes, I repeat it, the emperor of the one or the dey of the other is just as good a friend to the liberty of the press as you are; and it flourishes in as perfect freedom at Tunis, as it does under your empire. According to the right honourable gentleman, the people of India are considered as nothing. If such is your principle, and that such it is I have your own assertion; to keep them ignorant is as much your policy as to keep them enslaved has been your crime.

Mr. Wallace opposed the motion. He denied that the liberty of the press ought to exist in India. Such a power was necessary only to maintain freedom, and there was no freedom in India to maintain; of course it was not necessary, and ought not to be endured in that country. We were suffering enough every day in this country from the license of the press, and it would be ten times as bad in India. He did not deny that there were benefits from the press; but still, in this country, if it was not speedily checked, its license was now so alarming,

alarming, that it would in the end usurp and institute a power of its own.

Mr. Whitbread was much surprised to find that the principal opposition to the motion was taken up on the ground that his noble friend, who brought it forward, had argued in favour of a free press in India; but he was certain nothing was further from his noble friend's idea, and nothing could be more contrary to the argument he had used. Situated as India is, he (Mr. W.) did not believe it was possible to extend to it so great a blessing. The right honourable gentleman (Mr. Dundas) had said the liberty of the press could not be allowed, for fear of the natives being disturbed in the exercise of their religion; which was as much as to say, that it would be a crime to attempt there the propagation of the gospel. Under all the circumstances of the argument on both sides, he thought his noble friend had made out a sufficient case to entitle him to the production of the papers moved for, and as such he should vote for the motion.

The chancellor of the exchequer objected to the production of the papers, because granting them would convey an idea that there was something wrong in the conduct of those concerned in them; and in his opinion there had been no case made out to warrant it. The motion was accordingly negatived.

House of commons, March 2<sup>d</sup>.

—The chancellor of the exchequer rose agreeably to notice, to move for the thanks of the house to lieutenant-general Graham, and his army. He said he felt confident that in moving the thanks of the house to general Graham and his army for one of the most masterly and brilliant military achievements

that had ever been performed, he had no cause to fear a want of unanimity in that house. If there was any strife among them, he was satisfied it could only be in vying with each other who should most express their applause and admiration at such signal and splendid acts of resolution and bravery. All he could regret was, that the task of bringing forward the business had fallen into hands so inadequate to do justice to the efforts of the gallant general and his brave officers and army. He felt the achievement to be in itself so much higher than any description of it which he could give, that in attempting it he must detract from the brilliancy which the action itself must naturally produce. Having described the action, and the high merits of the general, he moved, "that the thanks of the house be given to lieutenant-general Thomas Graham, for the distinguished ability displayed by him on the 5th of March, on the heights of Barrosa, by which a signal victory was gained by the troops under his command over a greatly superior force of the enemy."

Mr. Sheridan.—Mr. speaker, I feel myself fortunate in rising at this moment to have met your eye; for I am earnestly desirous of the honour of seconding the motion of the chancellor of the exchequer, as stated to the house by him with a degree of perspicuity, energy, and feeling, which leaves little to be said by those who are most zealously disposed to follow and support his proposition. He has truly said, that he anticipates universal assent to the motion now, Mr. speaker, in your hands; and I cordially agree with him that there can exist no contest in this house but a strife who shall be most forward



ward and eager to accord to that motion. Having said thus much, as to general Graham's merits as an officer and soldier, I feel from the reception of what I have said, that I shall be pardoned if I add something in relation to his private character, and the circumstances which brought him into the service, and at a tardy date rewarded his merits with the rank he now holds. Many who hear me now, must remember as well as myself, that in the year 1793 lord Mulgrave, whose friendship with me has not been abated by political differences, wrote to this country, that at Toulon, then in our possession, and where he commanded, and then besieged by the present emperor of France, he found an English gentleman of the name of Graham, who, then no military man, led on the British forces through the heights and labyrinths surrounding Toulon to success and victory. Lord Mulgrave found him there, no educated soldier, but of the most refined attainments, deploring a domestic loss which had left him with an afflicted heart, yet preserving an unbroken spirit. The service he did lord Mulgrave's army, and the admiration of all the officers of that army, struck his mind, and then he became a soldier; not created so by accident, but enlisting his own brave heart, from a consciousness that he was entitled to serve his king and country, he embarked in the profession. He returned to his country, and without any mercenary stipulation for rank, he raised a regiment of two battalions in his native land, and thenceforward devoted himself entirely to his military duties. From his first decision for a military career at Toulon, in 1793, after serving through the whole Austrian campaign, you are to

look to his conduct when he escaped from the siege of Mantua—not skulking from it as a spy, but wearing boldly his British uniform, and through risks and perils, I believe absolutely unprecedented, producing the ultimate surrender of the place to the Austrians. We next are to trace him at the siege of Malta, which surrendered on the 5th of September 1800 to general Pigot; but that general had the honour and the justice to declare, that the siege of that place had been so conducted by general Graham, that it left nothing to the arrival of general Pigot but the acceptance of the surrender of it. Mr. Sheridan then ran through, in a quick but eloquent strain, gen. Graham's further exploits—his singular services in Egypt, where, with no other rank than a colonel of his own regiment, he joined that regiment—his following gen. Moore to the rejected expedition by the king of Sweden to the Baltic—his then attaching himself as an honorary aid-de-camp to gen. Moore in his campaign in Spain—beloved and trusted as he was by that general, among his advisers in the day of difficulty, and his first consoler in the hour of disaster. Mr. Sheridan then said, that passing by the respect which the public must owe to his military character, he must pay homage to his private and domestic virtues—there never existed a man in whose bosom was seated a loftier spirit placed in a gentler heart. Mr. Sheridan here proceeded to state his affection for and admiration of his honourable friend—but he stopped short to call the attention of the house to consider, that the house and the country must feel gratitude, not only to general Graham, but to the duke of York, who had called him forward,

forward, and given to him the situation which he now so nobly filled.

General Hope bore testimony to every thing that had fallen from the right honourable gentleman (Mr. Sheridan), and felt greatly indebted to him for the very able manner in which he had stated it. The motion of thanks was carried unanimously.

House of lords, April 2.—In the committee of privileges on the Banbury peerage, lord Erskine, in an eloquent and learned speech, replied to the arguments of the lord chancellor, lord Redesdale, and lord Ellenborough, delivered on former days. He began by highly complimenting the capacity and learning of his noble and learned friends; but he had not been convinced by their reasoning. They had contended that the probability or improbability of the legitimacy of the ancestor of the claimant was to be the question for decision. In this he differed from them, contending, that by the civil, canon, and common laws, legitimacy was to be presumed till the contrary was proved. With a view to secure the advantages resulting from the institution of marriage, it was necessary that the presumption of law should be in favour of legitimacy. If two horses belonging to different persons had the sole access to a mare, the property of the colt might be decided upon probabilities of shape, colour, and other marks. But this rule would not apply to the human race, especially in a country like this, where there was no such thing as the guards and confinement of eastern countries. Legitimacy was to be presumed; and it could only be disproved in two ways, either by showing that the husband was un-

der a natural disability or impotent, or by proving that he had no access; and these points were to be proved like any other facts. It had once been imagined, that if the husband was within the four seas, the child would be legitimate; but this had been exploded. It had never, indeed, been a confirmed rule of law. It was sufficient to prove that the husband had no access. Even the cases that had been cited to show that the probability or improbability was the question, proved, when closely examined, that access or no access had been the real point in issue. As to the objection of age, it weighed nothing in the scale; there were three peers in that house who derived their descent from sir Stephen Fox, who had twins born to him by a wife of unimpeached virtue, when he was of the age of seventy-nine or eighty. Instances of a similar nature were numerous; and there was no ground whatever for presuming, because the earl of Banbury was seventy years of age, that therefore the child was not his. His lordship took a review of the evidence as delivered in the committee of privileges soon after the Restoration, and contended that there was no proof whatever of the non-access of the earl of Banbury to the countess, and therefore, that the presumption of law must be, that the child of the countess under whom the present claimant claimed was the son of the earl of Banbury.

Earl Stanhope moved to postpone the further proceeding in this case till Monday; which, after some conversation between the duke of Norfolk, the lord chancellor, and lord Ellenborough, was agreed to.—Adjourned.

House of lords, April 26.—The earl of Liverpool rose to move a

vote of thanks to lord Wellington. His lordship stated what had been the ideas of lord Wellington respecting the practicability of the defence of Portugal; which he thought he could maintain, under the circumstances, against any force which it was probable that France would send; considering Lisbon and its vicinity as the great pivot on which his system must turn, fortified as the positions there would be by the skill of our engineers, added to what nature had already made so strong. The foundation of the necessary works had been begun in the winter before last, and had been proceeded in and completed tranquilly and unostentatiously: these works formed the great basis of the plan of defence. The British general was perfectly aware, from the beginning, of the great importance of not hastily risking the safety of the gallant army under his command; and of looking for the defence of the country, not to measures which might probably succeed, but to measures founded upon a safe and prudent policy; by which he judged, wisely as the event had shown, that success would finally be obtained. He wished, therefore, as long as possible, to keep the enemy on the frontiers, and defer their invasion to a later season of the year. In this view of the subject of defence, there were two objects before him: the first, not hastily to risk the army; the second, the conviction that the security of Portugal depended on the hearty co-operation of the people, and the speedy equipment and discipline of the Portuguese troops. Much of the credit, success, and fame of the campaign must rest on a prudent policy; since it was well known, that a newly-raised force

would be most likely to take their future character from what they were on the first occasion of their being brought into action. If they were then successful, they were likely to maintain their reputation. Had he placed the Portuguese troops at first in a situation of fighting, unattended with local or other advantages, and had he been disappointed in the result, much time might have been required before the results could have been corrected. Thus it must appear, when it was considered how large a proportion of lord Wellington's force was composed of Portuguese, that the prudent and defensive system was that which it was wise to adopt. If their lordships would look at the nature and magnitude of the effort of the enemy, they would see that it bore no resemblance to some of those hasty and rapid armaments which had been made by France when engaged in war with different powers; but that, to invade Portugal, France not at war with any of the powers of Europe, save the nations of the peninsula, had deliberately prepared the means of invasion during seven months. To render the army perfect, the enemy had appointed one of the most able and successful of all his generals: nay, so solicitous was he in this respect, that the best officers were brought from others of his armies, to act in subordinate capacities in the army of Massena. In short, it was a great, an immense effort of deliberate preparation under the ablest officers of France. This plan of our general was an original one, and entirely his own. It was formed upon no former plan for the defence of that country; it was the result of his own excellent judgement, and was now sanctioned by

by the conduct of the enemy himself. When in his position, there were two considerations on his mind:—whether he should attack the enemy, or whether scarcity and privations would not produce the same results? Here it would not be doing justice to lord Wellington if he did not say, that if any unreasonable delay had occurred, it could not have been imputable to that general. He coolly and carefully examined the question of attacking the French, and wrote fully to him (lord Liverpool) his ideas on the subject. He was satisfied that he could beat the French army; but that he must suffer a very considerable loss, since the features of the country which made his own ground so strong, rendered the position of the enemy little inferior in strength: besides, the roads were broken up, and every other inconvenience existed. On the other hand, he thought the same beneficial results could be procured by delay. He wrote, that he did not mean to move his army to risk a battle in a place less advantageous than that which he had already proposed. The enemy's army, he further stated, could be relieved only by some calamity befalling that of the allies; and he did not judge it expedient to put the fate of the campaign on a battle upon ground chosen by the foe. He (lord Liverpool) wrote to him, and told him to pursue his own judgement; knowing, from experience and from personal acquaintance, the value and correctness of that judgement, and that it would point out to him the true principle of action. The general wrote again to him, that as there was no other army in the peninsula fit to act against such an enemy as he had before him, the great sacrifice and

loss, even in a successful attack, must be considered; but he had no doubt that final success would be attained by other measures which appeared to him the only safe and wise ones. Such was the general's previous opinion; and through the whole of the operations up to the retreat on the 5th of March, there never was a movement in which he was not confident of the result by a small sacrifice and wise delay. There never was a series of operations more uniformly successful, or conducted with more skill and spirit. It would be waste of time to enlarge upon the importance of the service, and the credit due to the general. We had now an army inured to war, which had seen it in all its shapes; not only in battles and victories, but in the patient endurance of retreats, and of remaining for months in particular positions. This campaign had also shown us, that we had a general equal to the best examples. It had formerly been said by the French of a celebrated general of ours, when speaking of his great successes against them, that he lived in days when the greatest French generals were either dead or not employed. They could not say this of lord Wellington. It had been his fortune to be opposed to almost all the first generals of France; generals whose career of successes had made their names proverbial. He had first met and beat Junot—he had beaten Soult—he had beaten Victor—he had beaten Jourdan—and now he had beaten Massena whose fame had risen the highest! A noble earl (earl Grey) had said on a former motion of thanks, (Barrosa,) that it was the satisfaction and pride of the country to know, that in every situation in which British valour

was placed, if the odds against us were not numerically too great to give a chance of victory, our success was certain on sea or on shore. We now had not only a proof of our pre-eminent bravery, but likewise of our military skill and science. He concluded by moving, "that the thanks of their lordships be given to lieutenant general lord viscount Wellington, for the ability, fortitude, and perseverance, which he had displayed in the important services he had performed in the defence of Portugal against the enemy."

The motion being made,

Earl Grey rose and said, that the motion of the noble lord had his most entire and full assent; and though the noble lord, in the course of his speech, had omitted nothing that could illustrate the nature and extent of the services that had been performed, yet he could not sit silent on the occasion, impressed as he was with feelings of gratitude and admiration towards the great commander who was the subject of this vote, and deriving a just national pride from the consideration, that the honour of the country had been so greatly exalted by the conduct of that distinguished general and his brave army. There were also additional motives of imperative force, and of a nature personal to himself, which induced him to feel anxious to second the present motion. In proportion to the pain which he felt in withholding his assent to the vote of thanks on a former occasion, was the pleasure which he now experienced in contributing his mite of approbation for services, as to the merits and effects of which there could be no doubt, and which indeed could hardly be too highly appreciated. The noble lord had done

ample justice to the merit of lord Wellington, and to the bravery of the troops which he commanded. He had listened to the speech of the noble lord with the sincerest pleasure; and his thanks were particularly due to him for the candour which he had displayed, on this as on every similar occasion, in avoiding the introduction of any invidious topics, or of those former differences of opinion which might have tended to interrupt the unanimity that ought to prevail on such an occasion. There was one point, however, on which he (lord Grey) felt it impossible to be silent; and that was the apparent contrast, or contradiction as some might call it, between the sentiments which he had now delivered, and the opinions which he had expressed on former occasions, when the nature and policy of the campaign in Portugal were the subject of discussion. He was ready to acknowledge, that on the invasion of Portugal by the French armies, and in the course of their progress, he did anticipate a very different issue to the campaign. Whether the reasons on which he formed that opinion had more or less the appearance of probability to support them—whether in the eye of prudence they might appear well or ill founded, he would not inquire. He had a much more agreeable task to perform, and to express his signal gratification, that the event had not corresponded with the fears which he felt, nor confirmed the anticipations which pressed upon his mind. To their lordships and to the public this explanation might be of no consequence; to himself, however, and to his own character, he felt such an explanation of consequence; and he trusted their lordships would do him the justice

to believe, that the opinions which he had formerly delivered, though now happily contradicted by the event, were at least the sincere and honest dictates of his mind, and taken up from no illiberal or invidious feeling. He had now no hesitation to qualify and retract them; and this very circumstance, perhaps, gave a value to his vote on the present occasion, which would render it probably not less grateful to him who was its object, and which would not otherwise have belonged to it had he been one of those who anticipated success from the greatness of the means that were employed to attain it. After the able detail which their lordships had heard of the nature and events of the campaign, he would not detain them by repeating that eulogium to which all had listened with so much satisfaction.—By patient perseverance under unfavourable circumstances, and at the moment of action by the skilful combination of force and the most determined courage, a great success had been achieved, and as much honour done to the British army as any victory could have accomplished. The success itself was greatly enhanced by the small amount of bloodshed with which it was attained. Had the French army been defeated in a great battle, with the loss of 20 or 25,000 men, which might perhaps be nearly the amount of their losses in the retreat, such a victory could not have been obtained without a heavy expenditure of British blood. In the midst of our rejoicings on such an event, there must have been many mournings; but the enemy had now sustained a loss equal to that which a great victory would have inflicted, and that at a small expense on the part of the  
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allied army. It was to him, as it must be to all their lordships, a source of the highest satisfaction, that so much had been achieved, and yet that British blood, so valuable at all times, had been spared. There was one topic which he could not advert to without great pain, and that was the miseries that had been inflicted on the unfortunate inhabitants of Portugal by their merciless invaders. Calamity was inseparable from war; and above all from a defensive war, where the enemy had penetrated into the heart of a country. The dwellings and the means of the people would be made subservient to the purposes of the invader: but to our general no blame was ascribable for adopting measures, which, though painful in themselves, were necessary for the ultimate expulsion of the enemy. The miseries which the French had inflicted in their retreat were, from all concurrent accounts, sufficient to harrow up the feelings; and he trusted, that as to lord Wellington the Portuguese were indebted for the expulsion of their enemies, so to his provident cares they would also be indebted for much alleviation of their misfortunes. From the language held by ministers, he trusted that Portugal was secure, at least for the present; that no apprehension was to be entertained for sir William Beresford and his army; and that the speedy fall of Badajoz might be firmly anticipated. In this light, the expulsion of the French army was to be regarded as a circumstance of the proudest nature, and most worthy of the cordial thanks of the house—the greatest reward which they had to bestow. The present was a propitious interval for exciting to combined and vigorous efforts, and should be im-  
proved

proved by ministers for that purpose, particularly when the gallantry and good conduct of the Portuguese troops had pointed out the very mode in which this interval might be turned to the best advantage. It was a duty incumbent on ministers and on parliament to take care, lest through timidity, imbecility, or corruption in any quarter, all our sacrifices should be rendered useless, and should only tend to sap the foundations of our own power in the time of our utmost need.—Upon the whole, for the services of lord Wellington he felt that the utmost gratitude was due; and he would not detain their lordships further than by expressing his cordial acquiescence in the vote of thanks, which he regarded as the highest honour the house could confer, and which should always be reserved for occasions of splendid merit like the present.

The motion was then agreed to, *nemine dissensiente*.

Lord Liverpool then moved a vote of thanks to sir W. Beresford and the other generals and officers in both armies, with a resolution, "that the house do highly approve of the bravery and good conduct of the non-commissioned officers and privates belonging to the same" Both motions were agreed to, *nem. diss.*

May 21.—In the house of lords, earl Stanhope presented a petition against the bill brought in by lord viscount Sidmouth for amending the toleration act.

The petition having been received, and ordered to lie on the table,

The earl of Liverpool rose, and after bearing his testimony to the good intentions of his noble friend who had introduced the bill, and who, he was confident, had nothing in view dangerous to the whole-

some and wise system of toleration in this country, expressed his doubts respecting the prudence of his further pressing the measure. If it were passed, the good that was to be expected would be comparatively much less than was expected in any view of the subject. But if it were passed under the present misconceptions of its object, and the alarm and apprehension thereby created, the evils produced by it might far preponderate. The toleration laws, he was ready to say, were matters on which he thought the legislature should not touch, unless it were from causes of great and paramount necessity. Under all these circumstances, he trusted that his noble friend would see the propriety of not further pressing his bill.

Lord viscount Sidmouth said, that he was placed in a situation of considerable difficulty, as he must consider the sentiments expressed by the noble earl as the sentiments of the government, of which he was a principal part.—Yet, if his noble friend confessed that misconceptions had gone abroad on the object of his measure, that could not be a reason sufficient for him to withdraw his bill in the present stage of it. The greatest misconceptions, misapprehensions, and, he might add, misrepresentations, of the bill had been made without doors; but although it was not regular in that stage to enter into particulars, he should for convenience, if not regularly, take that opportunity of stating what his bill was, and what it was not.

Earl Grey spoke to order. He would be the last person to interrupt the noble viscount, but it was certainly quite out of order to enter into the details of the question on the presentation of the petitions, when

when the opportunity of addressing the house would so soon occur on the second reading. He was convinced of the purity of intention by which his noble friend was actuated, and that he entertained no design of infringing on the just and liberal toleration of every man's opinion and worship; but he thought that the present was not the time for discussing the question, when they were receiving petitions, unless the reception of them was to be objected to.

Lord viscount Sidmouth said, he should not further trouble the house at that time. It had not been his intention to take up their time long; but he should reserve himself to the second reading, then more fully to explain himself.

Earl Stanhope presented several other petitions from different dissenting congregations in various parts of England, (Castlecary, Market Harborough, &c.) which were severally ordered to lie on the table.

Lord Holland rose, and said, that he had numerous petitions to present to the house against the present bill; the first of which he should move to be read. It was the joint petition of the three denominations of the dissenters in and in the vicinity of the metropolis, namely, the presbyterian, the baptist, and the independent. He should say little by way of preface, except that he believed that this, as well as other petitions, would show that the people of this country were not so ignorant of the nature and character of a bill brought into parliament, as not to see and to appreciate its consequences to their civil or their religious liberty. He was happy to hear from the noble secretary of

state, what he had heard from him that night, on the impolicy of such a measure. But he must say, that the noble viscount had very fairly shaped his course in the proceedings both last session and this. He (lord Holland) had, last June, stated his intention to look with much care and great jealousy at any attempt to meddle with, or impair, the provisions of the toleration act; and he thanked the noble viscount for having so fully explained his views this session. He could not however avoid expressing his surprise and regret, that the noble secretary of state had not taken an earlier opportunity, either last session or this, of stating his prudential objections to the adoption of this measure, instead of leaving that to the present occasion, when the petitions against it were crowding in from all parts of England. He then presented the petition; which was received, and ordered to lie on the table.

Lord Holland then stated, that he had a great number of other petitions.

The earl of Hardwicke said, it was desirable to know whether any of those petitions contained matter which reflected upon, or was irregular to be presented to, that house.

Lord Holland said, that he had been unable to read them all. Several he had read, which contained no such matter. But he should feel pleasure in having them all read to the house, if it should not be too inconvenient in respect of time.

The earl of Lauderdale said, that he also had many petitions to present. Such was, however, the opinion he entertained of the respectability of character of the persons who had framed them, that



if there was any intention shown of casting doubts or reflections on them, he should certainly move, that any one of those which he should present should be read.

The petitions presented by lord Holland were then received, the preambles read, and ordered to lie on the table. They were from congregations in a number of places in Wiltshire, Essex, Dorset, Berks, Middlesex, &c. One petition, we believe, was signed by above four thousand persons.

The earl of Moira rose, and after some observations on the respectability of the petitioners, declared his readiness to take his responsibility for the propriety of the sentiments they contained. His lordship then presented a great number of petitions from different places in London, Westminster, Surrey, Middlesex, Kent, Cambridgeshire, Essex, Berks, and Sussex; Bucks, Wilts, Leicestershire, Norfolk, Hants, Herts, Derbyshire, Warwickshire, Northamptonshire, Oxfordshire, &c. amounting to about fifty—the particular towns we are unable to specify;—all which were ordered to lie on the table.

The earl of Lauderdale then rose, and presented numerous petitions from Bath, the Isle of Wight, Kent, and various other places, with signatures to the amount of more than ten thousand names; all which were taken as read, and ordered to lie on the table.

Earl Grey presented a petition from a congregation at Bristol, which we understood his lordship to say was intended to have been presented by the high steward of that city (lord Grenville). His noble friend could not attend in the house that night; but he was confident from what he knew of his opinions

respecting the important subject of toleration, that he was favourable to the prayer of the petition. Ordered to lie on the table.

The duke of Norfolk observed, that persons not dissenters, but friends to the principle of toleration, had signed the petition.

Earl Grey then presented many other petitions from Lewes, Portsmouth, Daventry, Colnbrook, Gloucester, and other places, which were also ordered to lie on the table.

The earl of Rosslyn presented several similar petitions from different places. Ordered to lie on the table.

Lord Erskine stated, that he had nearly 200 petitions to present on the same important subject. He should make no other prefatory remark, but to say, that they contained the same opinions on that question which he himself maintained on the subject of the toleration act. These petitions were presented, and ordered to lie on the table. They were from all parts of England, and some of them had an immense number of signatures.

The marquis of Lansdowne then stated, that he had above 100 different petitions to present to their lordships on the same subject, and of the same tenour. The first petition he presented, his lordship stated, was signed by many persons not protestant dissenters; several of them beneficed clergymen of the established church, who, equally with the protestant dissenters, deprecated any interference with the toleration laws, and was signed by 896 persons. All these petitions were also received, and ordered to lie on the table.

The number of petitions received was about five hundred.

The order of the day was then called

called for by several lords; when, after some pause had occurred,

Lord viscount Sidmouth rose, and said, that in moving the second reading of this bill he should make no remarks on the number of the petitions which had been presented against it, as he readily supposed that the petitioners sincerely believed what they had expressed with respect to the operation of it. His noble friend (lord Liverpool) had truly stated, that great misconception and misapprehension had gone forth respecting the bill, and, he must add, great misrepresentation. The various public resolutions were, for the greater part, inapplicable to the real objects of his bill. When the intelligent mind of his noble friend was not quite free from misconception, he could not wonder at seeing the misapprehensions of others. It seemed to be thought that some change was intended in our toleration laws. What was it? The object of the bill, the clauses of which might be amended in the committee, was merely to give uniformity to the two acts on which our system of toleration was founded; its object was not to exclude any class of dissenters, but to comprehend all, according to the spirit and meaning of those acts. This was the sole purpose of the bill. He was led to propose it, from information he had a considerable time since received, of what was and is the prevalent mode of executing those acts.—He lamented to think that the effect of those bills was, that any ignorant person, of depraved morals, should be able, by taking the oath of allegiance, by making the declaration against popery, and subscribing to certain articles of the church, declaring himself, under the 19th of the pre-

sent king, a Christian and a protestant, and a believer that the Old and New Testaments contained the revealed will of God, to claim his license, and that his certificate should enable him to preach any where any doctrines he pleased; and that this did, in fact, till 1802, exempt him from many civil, and from all military, services. At first he could hardly credit that interpretation of the laws. He could state, but that he feared fatiguing their lordships, informations from many magistrates, of numerous applications at quarter sessions evidently to obtain these exemptions; He had heard a circumstance which he considered as creditable to a sect of dissenters, wherein they acknowledged these abuses, and expressed their desire to correct them by the expulsion of some such unworthy persons.—[The Wesley connexion was here alluded to.] Could it be supposed that they who so acted to evade the laws, would be deterred by fear of their brethren? He had learned with satisfaction, that though the prevalent interpretation of the law was as he had stated, yet with many well-informed and respectable persons it was not so. In Devon, Norfolk, Bucks, and in Suffolk too, he learned that that interpretation was not admitted. Feeling the abuses that were committed—learning the opinions of enlightened men, and the practice of many respectable magistrates on this subject, he had felt it necessary to bring the consideration of it before parliament. He had been encouraged to do so by the opinions of respectable persons, of magistrates and judges; and he had stated in June 1809, that he intended to do nothing but what was with a view to secure the toleration of the protestant dissenters.

dissenters, as well as the support of the church of England, of which he gloried in being a member. By this fair standard he had proceeded, and in his bill there was nothing to be found inconsistent with it. He had not contented himself with the authorities he had mentioned, but had sought further information, and even communication, with various dissenters. From some of them he had received voluntary communications, and with others he had had conversation; and he could truly aver, that though many wished he should take no steps in the business, few objected to the measure he proposed. They thought merely, that though the measure was innocent, yet that it might excite in other quarters a disposition to introduce into it objectionable clauses. They did not seem, on the whole, to think there was any thing in it materially objectionable. Every class of dissenting preachers, in fact, who had separate congregations, were left by this bill in the same state as before, with the removal of all sorts of impediments, and the magistrate would know better what was his duty on such subjects.—What better mode of attestation could there be, than that of several persons of the congregation for those who sought for licenses? As to the question of substantial and reputable householders, or householders merely, that was a consideration for the committee. There was no regulation intended, but to relieve them from different practice at different quarter-sessions. The second point applied to such as had not separate congregations. He did not expect to meet with any difficulty on this subject from the quarter whence it arose. It would be a farce to talk of toleration, he confessed, and at the same

time to exclude this class of persons from the rights allowed to other protestant dissenters, though he must say, that he knew they had often given great pain and vexation to many most excellent and meritorious beneficed clergymen. Yet he must in candour admit, that hundreds and thousands of people would, through our own unpardonable and abominable neglect, be deprived of all moral and religious instruction, were it not for the services of these persons. Millions in this country were indebted to them for their religious instruction.—We are not at liberty to withhold the only means of moral and religious knowledge. He had not, therefore, excluded such persons; which would have been contrary to indispensable and eternal justice. The third point of his bill related to probationers. He had, on that point, proposed, that six persons should sign their belief of the sober and exemplary life, of the capacity, &c. of the individual. What test could be more moderate? His object was to follow up the principles of the toleration laws, which never meant that any person should assume to himself the privilege of a preacher and teacher, and exercise such important functions, without some attestations. Any person under the bill might then be chosen, nay, he might be said even to choose himself, if he procured such attestations. He confessed he did, confidently, but, as he had found, vainly, expect that he should have had the consent of all the sects and descriptions who felt what was due to the purity, sanctity, and dignity of religion. All he was apprehensive of was, that some friends to the established church might think the bill would be inefficient for what was required;

site; but he never thought that any protestant dissenter would consider it inconsistent with the wise and just enactments of the toleration laws. He learned that in the customs of dissenters, probation was necessary for the proof of the gifts necessary for the ministerial office: therefore he had merely proposed that three dissenting preachers should sign a testimony in the probationer's favour. In our own church, by our ecclesiastical laws, there were certain probations and attestations to be made. A deacon must have the testimonials of three clergymen to his life, gifts, &c. His name must also be read three times in church. He did not mean to say that this always prevented improper introductions, but that such were the precautions that were observed by law. Though he had received much information on the subject, no man should be placed by him in an unpleasant situation by his stating his name, though there were noble lords present who knew what information he had received. From the itinerant methodists, of whom he did not wish to speak disrespectfully, he had grounds on which he expected their approbation. He had formed his opinions from those of magistrates and respectable gentlemen of various descriptions. Objections had been stated at first by his noble friend, for whom he had much respect (lord Holland), who seemed to think that any man had a right to take on himself the office of teacher, on making the declarations, &c. and that it was not a question for the legislature to take up. He would say that this opinion was utterly inconsistent with the meaning of the toleration act. That act, right or wrong, was a measure of condition. He never could agree

to those broad principles. But in some respects he thought those laws intolerant, where, for instance, they limited religious doctrines. His noble friend had called the toleration act the palladium of religious liberty. What did he admire in it? Its beneficent effects, he had said, in its providing freedom of worship. Could he deny that it was differently acted upon in different counties? In proportion to his admiration of it, his wish should be to render its operation universal. It was not so at present. There was no case wherein, when the license had been refused, the party had, at least for many years, resorted to the court of king's bench. He went to another county. Thus, there was a different interpretation in counties bordering on each other. Let the benefit, therefore, be made universal. If this measure were improper, come at once to the assertion of the broad principle, and try to alter the laws in that way. That broad principle had never existed in any age or in any country. History, both sacred and profane, showed the importance that had been always attached to the priesthood, which had never been assumed, but conferred. He was not so read in the sacred writings as he ought to be, and he could touch on them only with great deference. But he had read, "Lay hands suddenly on no man;" and also, that persons chosen for such situations should be "of good report." He could not think of the argument taken from the low condition of those who, in earlier days, received their divine missions, as applicable to present times, and as giving authority to the persons he had alluded to, to lay their claims to divine influence, without any attestations of their character and qualifications.

cations. The early ages of the church showed, that purity of character was held indispensable to him who attempted to enter into the solemn offices of the priesthood. His noble friend had said, that no case had been made out. He appealed to their lordships on that point. He then stated a circumstance that recently happened at Stafford, when the magistrate, certainly not regularly, required the applicant to write his name; but who answered, that he came there not to write but to make the declaration. He was convinced he had now made out sufficient grounds for the second reading, and for going into the committee. The noble lord proceeded to state, from a paper he held in his hand, in which the writer mentioned as an instance of the laxity with which licenses to preach were granted, that he had heard a person in the neighbourhood of London, who seemed well versed in all the atheistical and deistical arguments on the subject of religion, lecturing to a crowded audience for two hours and a half, and broaching the most irreligious and even blasphemous doctrines. The bill which he had introduced would naturally check the existence or spreading of such abuses, which could not fail to be lamented by every man who was a friend to the morals or the happiness of all classes of society; and he feared that the broad principle stated on a former night by his noble friend (lord Holland) tended to let loose this class of men, whose labours must be so destructive to civilized society. Their lordships did not do their duty, if they thought themselves absolved from attending to the prevention of such abuses. It was their duty to protect the ignorant and the unwary from being

led astray, and to put them on their guard against such mischievous practices. The noble lord then alluded to various resolutions that had been published in the newspapers. It had surprised him much, to observe one set of these resolutions subscribed by a very respectable gentleman, who was a member of the other house of parliament (Mr. W. Smith), in which the bill was represented as being designed to abridge religious liberty. He saw with astonishment that such an object was ascribed to the measure, than which nothing could be further from his thoughts. Upon the whole, he could not help expressing an ardent wish that the bill should be read a second time, in order that it might go into a committee, where it might undergo a variety of amendments. He himself should propose several alterations in the committee; but if he perceived a strong unwillingness on the part of their lordships to entertain the bill, however much he should regret it, he should respectfully acquiesce in their decision. He concluded with moving, that the bill be now read a second time.

The archbishop of Canterbury declared his utter abhorrence of every species of religious persecution. Whilst he lamented the errors, as he thought them, of the protestant dissenters from the church of England, he admitted that they had a full right to the sober and conscientious profession of their own religious opinions. The sacred writings were allowed by all protestants to be the great standard of religious doctrine, but the interpretation of them was liable to error. Uniformity of religious belief was not to be expected, so variously constituted were the minds of men; and consequently religious coercion was not

not only absurd and impolitic, but for all good purposes impracticable. As to the present bill, he should deliver his opinion very shortly. It appeared to him that there were only two objects which it had in view: the first was, to produce uniformity in explaining the act of toleration; and the second was, to render the class of dissenting ministers more respectable, by the exclusion of those who were unfit for the office. These objects seemed laudable in themselves, and calculated to increase the respectability of the dissenting interest. At the same time the dissenters themselves were the best judges of their own concerns; and as it appeared from the great number of petitions which loaded the table of the house, that they were hostile to the measure, he thought it would be both unwise and impolitic to press this bill against their consent. He therefore wished that the noble lord would withdraw it, and put an end to that alarm which had been excited, even though it might be groundless.

Lord Erskine expressed his conviction, that if the second reading of the bill had been delayed only a few weeks longer, ten times the number of petitions would have been presented against it, in addition to those that already incumbered their lordships' table, and loaded the floor. Such was the opinion which the dissenters at large entertained of the measure, and such the anxiety they felt at the appearance of encroachment on any of the privileges which they enjoyed! The bill professed to be of a declaratory nature, and merely explanatory of the act of toleration; but he would contend, that it was repugnant both to the letter and the spirit of the toleration act, that

great palladium of religious liberty. He knew that some descriptions of preachers among the methodists, from which class he had presented so many petitions, asked no exemption from serving in civil offices. If they refused to serve, their certificate would not protect them. The law on this subject was quite clear, and required no explanation. If a man was a religious teacher, and had no other avocation, in that case he had "a local habitation and a name;" he was a pastor and had a flock, from which it was not the meaning of the toleration act that he should be abstracted in order to serve in civil or military offices. But if all this was not the case, then he could claim no such exemption. If the pressure of the times, and the demand for military service, required that such exemptions should be narrowed, then do it by a special act to that effect, and not by narrowing the act of toleration. He moved that the bill be read a second time this day six months.

The lord chancellor felt convinced, that no man was more averse to breaking in upon the great principles of the toleration act, than his noble friend who proposed the bill. The different modes of interpreting that act were, however, facts incapable of contradiction; and if a man was refused a license in one county, it was much more easy for him to go to another where he might obtain it, than apply for a mandamus at the court of king's bench, which was necessarily accompanied with considerable expense. He also knew, that till a late act explained the exemptions as to the militia, there were great doubts as to who were entitled to such exemptions. To show the laxity of interpretation which prevailed

ailed at one time, he could recollect that in his younger years, and when he was liable to be drawn for the militia, it was proposed to him to get himself exempted by paying sixpence for a license. He knew the law was so understood at that time; erroneously unquestionably. He (the lord chancellor) had known of some instances that occurred, among those persons who came to take the qualifications, of the most total ignorance. There were some who could neither read nor write, and who absolutely, when the name of another was written down, carried it away as their own. He believed the bill to be well intended, and capable of doing good; but under the present circumstances he thought that to press it on the house would not be advisable.

Lord Holland, in allusion to the assertion, that the majority of the petitioners probably did not understand the measure against which they petitioned, observed, that the holding such language was singularly unbecoming and offensive. Looking at the immense number who signed the petitions on the table, it was no light libel to stigmatize them with want of understanding on a question that so closely touched their immediate interests. A right reverend prelate (the archbishop of Canterbury) had said, that the deluge of petitions which overflowed their table, was produced by misapprehension. To follow up the metaphor, it might be said that this deluge was brought down by the flagrant sin of the bill. Two charges had been casually thrown out against him (lord Holland): one, that he pushed the idea of religious liberty to an extent which struck at the Christian religion itself. This he must utterly deny. He could not alto-

gether understand the form of the clause. The other was, that he gave absurd and extravagant praise to the toleration act, an act which had been characterized as abominably intolerant. He would not go into those considerations, but come directly to the bill. He had before declared his principles, and he saw no reason now to shrink from them. He was an enemy, a most decided, principled, and resolved enemy, to restraints on religious freedom. He was convinced that every man had a natural right to choose his mode of religious teaching, and that no authority ought to interfere with the choice. A man had as good a right to preach a peculiar doctrine as he had to print it. It was not meant to say, that if seditious or blasphemous doctrines were uttered, they were not to be visited; but those offences required no new parliamentary infiction. Every man had a right to carry arms; but it was not necessary to call upon parliament now to tell him he had no right to commit murder with those arms. But if there was a right which it was dangerous and guilty to controvert, it was the right of every man to interpret scripture after his own manner. In the language of the right reverend prelate, (the archbishop of Canterbury,) the scriptures were a great largess to the world, a mighty and a free gift to all mankind; not restrained to the disciples or the discipline of a peculiar church, but given for the benefit of the world. He considered the toleration act as the great religious charter; and religious liberty could not subsist, unless it was perfect and secure. In the language of Locke, it was equal and impartial and entire liberty, of which religion and religious men stood in need.

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The toleration act had two parts. One of them was a most generous and liberal concession to the people; and the other was nothing beyond a bare and scanty admission of an undoubted right. In one of those parts a crowd of laws were merely done away, which were a shame to the statute book; laws that ought never to have existed. In the other, it was enacted, that on signing certain articles, an immunity from specified inconveniences should be given to dissenting ministers. He was always unwilling that questions of this nature should be stirred. He would not go into the question; but if it pleased the house that the toleration act, which had slept for a hundred and fifty years, should be roused once more, he was ready to meet the whole discussion. When the noble lord (Sidmouth) had given notice of his measure, the house could scarcely guess the aspect in which it was afterwards to look upon it. But at every repetition of the notice, something was added. The evil complained of by the noble lord was more and more seen to be visionary; but the remedy was seen to be more and more violent. One diminished as the other increased. As to the evils which the bill was to remedy, there was no document before the house to prove that there was any loss of militia service by the privileges of the dissenters. The noble lord (Sidmouth) had established his opinion on some private letters, on which probably that noble lord placed much reliance. But were those things to be documents, authorizing the house to heap disabilities on the whole immense body of dissenters? One of those letters was from a gentleman, who complained that a preacher in his

neighbourhood was an atheist and deist at once; that he denied a first cause, and preached a first cause; and it was upon the testimony of such correspondents that the present bill was built! No mandamus had been applied for in the king's bench, and therefore the questions of immunities were to be actually agitated by the house of lords! If two country justices were to disagree on any point, and the dispute was too trivial for the quarter sessions, it was to be brought before the house of lords! The part of the bill which went to force the dissenting ministers to be moral, after the fashion of the noble lord, was new and offensive, and tyrannical. This was the distinct meaning of the noble lord. He would manufacture the dissenting ministers into precisely such men as he would wish to have preaching to himself; but this was not the species of preacher that the dissenters chose. This attempt of measuring the morality of the dissenting minister by the noble lord's private conceptions, was totally opposed to the principles of the toleration act, and was calculated to be eminently offensive and vexatious. What was the mode of qualification? They must find six housekeepers to vouch for their morality. And who were those that were to have the power of bringing forward six housekeepers to speak to character? or who was to deny to the dissenters the right of having humble men for their teachers? Suppose five hundred paupers chose to hear religion from a man of their own choosing and of their own class, was it to be said, that the desire was beyond what might be permitted? and yet where was this teacher to find his six housekeeping vouchers? Or was the



the argument to be persisted in by those men who were so ready to boast of their attachment to religion, and to acknowledge as one of its glories, that it had risen by the labours of humble men, not merely without dependence on, but in opposition to, the wealth and influence and power of the great of this world! Yet it was not enough for the bill, that the dissenting minister should be devout and learned, but that he should be proved so to his congregation. How? By the signature of six housekeepers. Was his ordeal to end here? No; the judgement of the six housekeepers was to be revised by a country justice, before the dissenting congregation could be secure of the teacher whom they had originally chosen for his fitness. The article on probationers was unjust, and absurd. When a vacancy occurred in the dissenting pulpit, a number of candidates usually appeared, who were to give evidence of their qualities, by preaching, before they had or could have obtained an appointment. By the operation of the article now alluded to, those young men would be subjected to the horrid penalties of the conventicle act. If this bill were to pass, they would find 50,000 methodist teachers applying immediately for licenses, for fear of prosecution. But though the regular methodist teachers might not have any thing to fear from a prosecution of that nature, since the wise statute of Anne,—the whole important body of the itinerants would be exposed to peculiar hazard. The noble lord (Sidmouth) had spoken of having had the approbation of many respectable dissenters on the bill; but he (lord Holland) had conversed with many on the subject, and he had not

found one who did not decidedly disapprove of it altogether. The bill was completely at variance with the original idea thrown out to the house, as he understood it; and he could not doubt that it was at variance with all that he had ever learnt to revere as the genuine principles of religious liberty.

Lord Stanhope never felt more pleasure in his whole parliamentary life than he had done on this very day; and if any asked him the reason, he would tell them, it was at the immense heap of petitions that was then strewed upon their floor, and piled upon their table, and all against this wretched bill. He liked this, because a kind of silly talk had been going abroad, that there was no public. He had always thought otherwise. And he saw today that there was a public, and a public opinion, and a public spirit. He saw it in the multitude of petitions sent up on so short a notice; and he was rejoiced to find it alive, active, and energetic. He would not talk of the bill; that was dead and gone; and it would be beneath a man of sense to quarrel with the carcase. The bill was declaratory as well as active, and it was illegal as well as either. He defied all the lawyers in or out of the house to prove that this wretched and unfortunate bill was not illegal. He would not condescend to argue every point of it. It was unnecessary to argue upon what was beyond human help. It was all over with the bill; its hour was come; the bill was dead and gone; but he must say something on the subject, however. He hated the name of the toleration act. He hated the word toleration. It was a beggarly, narrow, worthless word; it did not go far enough. He hated toleration, because

cause he loved liberty. There was not a man in that house—not one among the law lords—not one, perhaps, among the bishops themselves, that had read so many of our religious statutes as he had. He had read nearly three hundred of those statutes; and disgusting, and foolish, and wicked, the most of them were. There was but one good statute that he saw, and that was a model for statutes; it was the wisest one on religion that he had ever seen. It was a statute of Edward VI. which abolished the whole set of religious statutes before it—yes, shovelled them away all at once; it was the best of statutes. Let the house look to America; no tithes were paid there. (*Hear! hear! from lord Sidmouth.*) Yes, hear! hear! and let the house hear the way the shrewd American reasoned on the subject. In the state of Connecticut, if a man gave the minister a bond to pay him tithes, the penalty would not be recoverable in any court of the state. And what did the American say? If the clergyman does his duty, he will make his people honest, and then he won't want bonds and seals: but if his people are not honest, and won't keep their promises without being tied down by law, why, the minister has not done his duty, and he has no right to be paid. All, then, must have a right to choose for themselves in matters of religion, and this was not the first time he thought so. He had made some attempts at removing obnoxious persecuting acts in the last session; and he now gave notice, that he would do the same this session, and every other session, and would extend his motion to the repeal of all and every act of religious oppression.

Earl Buckinghamshire, though

he did not disapprove of the determination of his noble friend (Sidmouth) not to persevere in the bill, after the opposition that had been manifested towards it, was still convinced that, if the bill had been suffered to go into a committee, it would have come out free from many of the objections under which it now laboured, and in such a state of improved regulation, as would have reconciled to it many of those who now seemed hostile to its principle and enactments.

Lord Holland explained, by declaring it to be his opinion, that though every one of the numerous subscribers to the petitions on the table might not be fully acquainted with every minute bearing of the measure against which the petitions were presented, yet there was not one of them who was not aware of the general tendency of the measure, and that it was injuriously calculated to restrain them in the exercise of their religious doctrines. As to the statement attributed to him by his noble friend (lord Buckinghamshire), that in his opinion, every person who chose it ought to be allowed to preach in the mode he thought best, he had not gone exactly that length. He had said, and he still maintained, that the cause of religion would be promoted by allowing all those who thought that they had a call to preach the gospel, to do so to those who liked his doctrines, without disability or restraint of any kind.

Earl Grey said, though he perceived that his noble friend (Sidmouth) did not mean to press his bill further; yet, after what had fallen from his noble friend also on the cross-bench (lord Buckinghamshire), he could not allow the question to be put without declaring his unchangeable objection both

to the details and to the principle of the bill, to which no modifications could ever reconcile him. The principle of the bill was restraint—restraint veracious and uncalled for. That it is was a bill of restraint, even his noble friend (Sidmouth) himself had not denied or attempted to disguise. He (earl Grey) was against all restraint. He went along with his noble friend (lord Holland) in thinking that every man who was impressed with the belief that he had a call to preach, ought to have every liberty allowed him to do so. One inconvenience said to result from this unlimited liberty had been stated to be of a purely civil nature, inasmuch as it afforded facilities to men not actually preachers, but who pretended to be so, to avail themselves of that character, to escape certain obligations imposed on the other subjects of the country, such as serving in the militia, &c. Judging from the papers on the table, he could not see the force or justice of this observation. For the last forty years the number of persons licensed appeared to have been about 11,000. He should take, however, the last twelve years.—Dividing it into two equal parts, it appeared that in the six former years the number licensed was 1,100, and in the latter six years 900; so that the number had diminished instead of increasing, and the present measure, instead of being thereby more peculiarly called for, had become so much the less necessary.

Lord Sidmouth, in reply, observed, that he would not be deterred by any thing that had fallen from the noble lord who had just sat down, from bringing before their lordships whatever his own sense of duty suggested as worthy their attention. The question for the se-

cond reading was then put, and negatived without a division.

House of commons, May 31.—Mr. Grattan rose, and moved that the petition of the aggregate meeting of catholics be read. He then moved that the resolutions of the house, voting their thanks to lord Wellington and his army, and also to general Graham and the forces serving under his command, be read; after which he rose, and spoke to the following effect:

Sir, in wishing that these votes of thanks should be read on this occasion, it was my object that the house should be in accurate possession of its own testimony to the conduct of that race of men, the justice of whose claims to equal rights and capacities we are proceeding to discuss. We are now going to consider whether it be just or expedient that the existing system of penal laws to which they are subject, should any longer continue. I call them penal, for what else is the qualifying law? A law inflicting penalties in the most objectionable form, that is, under the disguise of an oath; a law which makes the forfeiture of conscience a recommendation to title and office; a law that enacts religion to be a crime, and purgatory a qualification. I must not conceal from the house, that this is an occasion in which we are assembled to try the bulk of the population of Ireland. We have to try them upon separate charges—upon charges against the religion they profess, and the political principles upon which they have acted. The testimony against them, I am sorry to say, is that of their countrymen, and also of their fellow-subjects. Now, although I will not affirm that it is impossible for the authors of those charges to enjoy a safe conscience

conscience—although I will not suspect or deny their morality, yet their testimony, thus directed against their fellow-subjects, is to my mind a strong presumption of their prejudice against those whom they accuse. Let their evidence be ever so good or respectable, their zeal and alacrity to render it are to me demonstrations of those prejudices. For what, in fact, does this evidence amount to? It begins by testifying that an immense body of christians, subjects of this empire, are worse than any class or nature of idolaters; that they are not trust-worthy in civil life. But if this charge be true, then it can be no less true that the Messiah has failed, that the Christian revelation is not of divine origin, since its effect and operation have been to deprave and immoralize mankind. The charge is compounded of the dogmas of the church and the politics of the court—the spirit of the former being uniformly the spirit of bigotry; that of the latter, as uniformly, power. Against this evidence we have long had the indisputable declarations and the explicit testimony of the six most eminent universities of Europe, disclaiming any doctrine incompatible with the strongest attachment to the civil government of every country. In addition to this, there is our experience of the fact, as proved and established in the long intercourse that has subsisted between protestant and catholic, and the long obedience and submission shown by the catholic to your government. But let us look at the charge in another point of view, and examine upon what ground it rests. It represents that you, having had possession of Ireland for 600 years, have so abused the exercise of your authority, have so op-

pressed and mis-governed the people of that country, that they are unalterably hostile to your interests, inflexibly rebellious to your control. It represents that your stand self-convicted of a perversion of your power, and practically disqualifies you to be governors, under whose sovereignty Ireland has passed so many centuries of her existence. But, sir, I believe no such thing; I believe the assumption to be groundless, that it is unjust thus to accuse England. But such is the nature of the accusation against the catholics; it points less against them than against England and against British connexion. Depend upon it that the original source of a people's vices is the vice of its government, and that in every instance since the creation of the world, the people have been what their rulers made them. Now, in order to disprove the justice of the charges brought against the general character of the Irish catholics, I will first refer the house to the preamble of the statute of 1782; I will next beg their attention to the facts recorded in its late votes of thanks; and lastly to the circumstances and history of the connexion between both countries. If the allegation that the religion of the catholics is essentially adverse to the British government be true, let us remember that the necessary inference is, that the British government must be a public calamity, and no longer deserving of support. But give me leave, in contradiction to that allegation, to advert to the facts on which it is founded; in order that I may the more clearly show, in the first place, that the existing penal laws are wrong, unjust, and indefensible; secondly, that their repeal is the only means of establishing the tranquillity and the

the security of Ireland. [We ardently wish that our limits would allow us to give the whole of this most eloquent speech.] For let us reflect on the necessary limits to all human legislation. No legislature has a right to make partial laws; it has no right to make arbitrary laws, I mean laws contrary to reason, because that is beyond the power of the Deity. Neither has it a right to institute any inquisition into men's thoughts, nor to punish any man merely for his religion. It can have no power to make a religion for men, since that would be to dethrone the Almighty. I presume it will not be arrogated on the part of the British legislature, that his majesty by and with the advice of the lords spiritual and temporal, &c. can enact, that he will appoint and constitute a new religion for the people of this empire; or, that by an order in council the consciences and creeds of his subjects might be suspended. Nor will it be contended, I apprehend, that any authoritative or legislative measure could alter the principles of right reason. Whatever belongs to the authority of God, or to the laws of nature, is necessarily beyond the province and sphere of human institution and government. The Roman catholic, when you disqualify him on the ground of his religion, may, with great justice, tell you that you are not God, that he cannot mould or fashion his faith by your decrees. You may inflict penalties, and he may suffer them in silence; but if parliament will assume the prerogative of Heaven, he will not acknowledge them. In obstinate preference, he will not heed your statutes, but will look abroad into the world for examples of the works, and into the Bible for expressions of the will, of

his Creator. But you do not pretend to this power, or to the exercise of any such authority. By the Union, the declaration of right did not exclude for ever the catholics; that declaration which signifies this, is subject to a future provision. Who are the parties to these unions? —The king and the parliaments. When I bring up to your table, then, a petition loaded with the multitude of signatures which it contains, let it not be said that the declaration is against them, which the parliament of England and the parliament of Scotland, which the parliament of Britain and the parliament of Ireland, have declared to be no part of the fundamental laws of the land. Why was this clause introduced into the British union? It was introduced for the sake of facilitating the union; it held out to the catholics a possibility of the removal of their disabilities in the strongest terms; and it made the king a witness that nothing stood in the way of that removal, that it was a subject free to be debated, that there was no coronation oath against it, and no fundamental law of the land. I appeal to the candour of the house, if this is not a fair construction of the meaning of this clause. Why then will you support a principle which tarnishes your national faith? If it is said, We do not like to admit the catholics to a community of privileges with ourselves, I will ask you if you will allow yourselves to be guided by any such prejudices, to reject a measure which is not more essential to the welfare of the Irish Roman catholic than essential to your own safety? What would you think of the conduct of that regiment which should refuse to march with another regiment and act along with it, because that re-

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giment was Roman catholic? Why will you allow yourselves to be under the influence of such uncharitable prepossessions? What must be the consequence? If you will not tolerate one another, you must at last tolerate the conqueror. England is nothing without Ireland, and Ireland is nothing without England. Do you not know that the preservation of your own religion, your liberty, and all your privileges, depends on the success of your efforts against the French? Do you not know that your success depends on your union among yourselves? and that if, instead of being united, you split and separate, you are a ruined nation? You may be a very grave nation, and a very wise nation; but if in one part of your policy, which is the most essential, you fail, if you split among yourselves, you are a ruined nation. That one error will be your death—it will render you incapable, with all your valour, to contend successfully against your foe, or even to preserve your existence as a nation. I have often wished in secret, that some guardian angel would lift up the sectaries above the Babel of their own confusion and the meanness of their own animosities, and show them, in the continuance of their jarrings, ruin rendered visible—and then show them, that if they joined together they would live, and if not they would die. If you consider yourselves as embarked in a great cause, in which you can alone succeed by the union of all parties, you may yet continue to exist; otherwise you are only working your own ruin. There is one test which has mislead the wisdom of the wise, which the politician has not discovered, and which the divine in his heavenly folly has also not discovered, but which has been discover-

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ed by the common man, and that is, that you must allow every man to follow his own religion, without restriction and without limitation. Catholicism and allegiance are compatible with one another. The catholics constitute a great proportion of your armies—a great proportion of your marine force are catholics—you continue to recruit your forces with catholics. I say, that in a view of our maritime and land forces, the number of Irish catholics are such as to be enough to turn the scale of empire. They have enabled you to vanquish those French, for a supposed attachment to whom you disqualify the Irish catholics. The Russian, the Austrian, and the Prussian armies fled before the armies of France. Neither the insensibility of the Russian soldier, nor the skilful evolutions of the Prussian, availed them in the day of battle; they all fled before the French armies; so that with her collected force she gave a final stroke to the liberties of Europe. Whatever remained of the glory of Europe, fell at the feet of France. In the last contest with Austria, feats of courage were displayed by the Austrians such as could be equalled by nothing but the courage that conquered them, and yet the armies of Austria were in a short time shattered by the armies of France. And if in another part of the continent you have been enabled to oppose that nation with more success, to whom was that success principally to be ascribed? It was to the Scotch presbyterian, a steady and gallant soldier; it was to the Irish catholic, whom, you have incapacitated from honours and rank, and who, while he was exposing to every breeze his garments bathed in the blood of France, was also carrying about him the marks of your disqualification.

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cation. One regiment, which had lately distinguished itself in a remarkable manner, was raised in Dublin almost entirely of catholics. Had the gallant officer who raised these men, raised soldiers on the principle on which we admit members of parliament—had he insisted on their renouncing the Eucharist, and declaring their abhorrence of mass, France would have had one eagle the more, and you would have had one regiment the less; but that gallant man, far above the folly of theology, did not stop for the sanction of either priest or parson, but told the soldier to draw for his country. The question is, therefore, whether Irish catholics are or are not as capable of allegiance as the protestants are? of which one should think there could hardly remain a doubt. And if I can collect at present a general sense in favour of the claims of the Roman catholics, I shall be of opinion that the country may look to the issue of the present contest without dismay, and that she has such a security within herself, that she may behold the utmost efforts of the enemy with tranquillity.

Sir J. C. Hippisley, in a very able speech, seconded the motion.

Mr. Herbert (of Kerry) stated, that it had been his lot to spend about one half of his life in Ireland, and the other in England, and he was well acquainted with the dispositions of the two countries. He was convinced that when the odious distinctions in point of civil rights between protestant and catholic were done away, every one would be amazed how they had been permitted to subsist so long. They were two sects—he could not call them different religious communities. The tenets of both were much more nearly allied than many imagined. Confession and absolution formed part of the church of Eng-

land creed as well as of the catholic, and in several other essential points they were not far asunder. He himself was a Christian of the church of England. If that church was exposed to danger, it was not from the catholics so much as from other quarters; and he thought it would be good policy, even with a view to the security of the church of England, that it should form an union with the parent church. At the time of the union, hopes had certainly been held out to the catholics that their civil rights would be restored, though no positive promise had been made to that effect. But it was a debt of honour which ought to be paid. He himself unquestionably understood that the union would be followed by a removal of the catholic restrictions; and had contributed to deceive the catholics on that head. The hope had been encouraged; and in conversing with his friends and with catholics on the subject of the union, at the time when it was under discussion, he had never hesitated to state what he thought he had good reason to believe, viz. that the consequence of that measure would be catholic emancipation. Such he was satisfied would have been the consequence, had it not been for an unfortunate accident. Still he was not sorry that the union had taken place; and he was sure that, in the long run, the claims of the catholics would not be urged in vain.—With regard to the  *veto* , he would not touch upon it at all. It was sufficient that it had nothing to do with the present question, which was merely whether the house should go into a committee on these petitions? Strongly impressed with the justice of the catholic claims, and the expediency of granting them, he did not feel himself called upon to dwell upon the dangers that might be

be supposed to result from refusing their immediate concession. He knew many of the most respectable of the catholics well—he knew that they were grateful for the favours they had already received, and that they would not despair of the justice of the united parliament with regard to such as were still wanting.

General Mathew said, that all the dissenters of the empire, whether Scotch or Irish, were entitled to the full benefits of the constitution, as being equally interested with the protestants in its security and prosperity. What the Irish catholics now asked was a matter of right so unquestionable, that the only wonder was, how it could have been so long denied them. As to the vain and futile prejudices which had been advanced against their claims, they were long on the decline. He did not hesitate to state that the great military successes of this country since the commencement of the war were chiefly to be attributed to Scotch and Irish valour. The mere English soldiery had the least share in it. He did not say this from any principle of invidious comparison: far from it—no man more prized the steadiness and valour of English troops than he did; but it had so happened, that the opportunity fell most to the Irish and the Scotch. The early part of the campaign in Egypt was the work of an immortal hero, whose name was the pride of Scotland. The glorious termination of that campaign was reserved for his gallant and revered friend, lord Hutchinson, an Irishman; and the work throughout that campaign was chiefly begun and completed by Irish and Scotch. The men who had stormed Monte Video were Irish catholics—the men who had astonished the French at Maida were Irish catholics—the men who

had most distinguished themselves at the battle of Vimiera were Irish catholics—in the hottest part of the battle of Busaco was a clear majority of Irish catholics; the 38th regiment, who had so admirably charged the enemy in that action, were to a man Irish catholics—and in the battle of Barrosa, when that gallant and skilful officer general Graham led his troops to victory, need he remind the house what was done by the Irish catholics on that memorable day? (*Hear, hear!*) The 87th, to a man Irish catholics; the brave 87th, the prince's own Irish heroes—(*A laugh.*) He would repeat the title—he was one who was not ashamed of being proud of that distinction—(*Hear, hear!*) the prince's own Irish heroes—(*A laugh.*) Gentlemen might laugh; he wished that they had been in the ranks of those Irish heroes on that glorious day, and then they might learn the true way to be of use to their country—(*Hear, and a laugh.*) There they might have seen how these brave Irish heroes executed to perfection their orders. They indeed spared their powder, but gave the enemy the steel with a vengeance—(*A laugh.*) How was the isle of Bourbon taken? By the valour of the Irish catholics under the conduct of as brave and skilful an officer as any in the service—he meant his gallant friend and respected constituent, lieutenant-colonel Keating. The gallant general then proceeded to show, that the continuing the penal laws would have the effect of putting down recruiting in Ireland, and had already considerably diminished it: but if the Irish catholics were put on the footing of the English—if they were sent out under the command of their own brave countrymen—of such men as the Irish generals lords Wellington, Hutchinson, mar-  
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Beresford, Spencer, Doyle, Pack, &c.....The navy, he further contended, was manned by more Irish than English, as there were many foreigners in the navy. He concluded by stating, that if the Irish were well used they might be led by a silken thread. The Irish demanded but their rights, and their rights they would have. With his last breath he should support the cause of the Irish catholics.

Dr. Duigenan began by reading the oath taken by the Roman catholic bishop, on his installation; the substance of which was, as well as we could collect it, an obligation binding him in an unqualified submission and obedience to his lord the pope, to augment his power; and to the resistance and persecution of heretics, infidels, &c. &c. assailing the doctrines or power of the holy mother church. He then proceeded to read the oath taken by the priest, on his taking on him the priesthood, which was the same as the former, with respect to the obligation binding him in entire submission to the pope. He commented upon an alleged clause in the oath, which said, in speaking of the Roman church, "out of which there is no salvation." These were the persons who complained of intolerance; men who have been, at all times, the most intolerant sectaries in the world;—who had received benefit after benefit from this country, and yet who had evinced their gratitude as they had done! There was not a people in any other country who had been treated with more leniency and moderation than the Romanists in Ireland—(*A laugh.*) He repeated it, that there was not, in the present state of Europe, a people to be found any where enjoying more civil liberty, rights and privileges, than the Irish Roman catholics.—(*Hear,*

*hear, from the opposition.*) They have never been impeded in the exercise of their religion, in the enjoyment of their liberties, laws, and lives. (*A laugh.*) And yet these were the men who complained of intolerance—men who never had been tolerant themselves when they were in power, and who never can be tolerant, by the rigid tenets of their religion.

Mr. Bankes thought the present an imperfect measure, because it must lead to ulterior objects, and those, too, such as might endanger the constitution of this country. Many men seemed to think that it could have no tendency to produce this, and were of opinion that no such thing was intended; but there were men even of ability, who might be made the dupes of cunning men, less able than themselves.

Mr. Tighe strongly supported the motion of the right honourable gentleman (Grattan). From the time of Henry II. the Irish had constantly claimed a full participation in the constitution, and he thought they were clearly entitled to it.

Mr. C. Adams thought the question was, if we were to have a protestant establishment? He had maturely thought on the subject, and was by no means convinced that we should have a protestant establishment if the Roman catholics had what they wanted.

Mr. Ponsonby replied to Mr. Bankes, and described the situation of the catholics generally, he said, yet such was the law of the country; and such being the law, he put it to the honourable gentleman if it was desirable, that against such an awful state of things there should be no remedy. To the soldiers they might say, You may fight our battles, you may lose your lives in our service, but you cannot by law get above a certain command.

command.—The moment you are most fit for command, the moment you are qualified to be useful, that moment you are arrested in your progress, and your services can no longer avail either yourselves or us ! What would be said to colonel Keating, who had lately so gallantly distinguished himself—"You have acted nobly; you have surpassed our most sanguine expectations; you have deserved well of your country, and are entitled to that promotion which your merit and services deserve: but on these very accounts being entitled to be advanced above the rank of a lieutenant-colonel, you must leave the service; we cannot longer accept of your services, nor can you any longer employ those abilities and the other shining qualities which you possess, either to your own honour or to our advantage!"

Mr. W. Smith said, it had been asked, If this measure was extended to the Roman catholics of Ireland, would it not be expected that it should go to the different sectaries in England also? He did not know what was expected, but he could say that in his opinion it ought to extend to all. The right of sitting in that house was all the privilege they enjoyed more than the catholics; and during the years he had been a member, he could not have held a situation of the most trifling kind under the crown, without transgressing the law of the land, for which he must be punished, were it not for the annual indemnity bill. All the evils of which we had to complain, arose from toleration and indulgence. He abhorred such terms. He knew of nothing but religious liberty, which was the right inherent in every man to worship God in his own mode. For this he contended, and he

thought the catholics were entitled to it as well as every other sect of christians, as a matter of right.

Mr. Perceval observed, that the honourable gentleman who spoke last, had revived the claim and right which had some time ago been urged in the course of these discussions, but which had been dropped during the two last times when this question was agitated, and which had not been heard of tonight, till introduced by the last speaker. Who were they, he asked, who claimed this as a matter of right? Persons who regarded it as a matter of trust in others, and who, according as they were instructed, would use the privileges granted them, not for the maintenance but for the destruction of the religion of those who enabled them to assert their right. The principle on which he was always against this immunity was, that it could not be yielded without leading in no slow degree to the destruction of the national church. If tithes were against the universal canon of the Almighty, and no country had a right to impose them on those who did not belong to the church—might not the next application on the part of the catholics be, that they should be admitted to participate in them according to their numbers? and the next, that they should be admitted to the whole? If he did not misunderstand the right honourable gentleman opposite, (Ponsonby,) on the former occasion, when this question was agitated, he would not have supported it but for the *veto*. Now he did not hear a word of the *veto*, and this was of itself a sufficient reason for him (Mr. Perceval) to oppose the motion, though he confessed he did not do so solely on this account. He was

as strong a friend as any man could be to christian toleration, but he believed in no toleration of philosophy.

Mr. Whitbread called on the right hon. gentleman who was a friend to christian toleration, and an admirer of the gospel of Christ, to open that gospel, and show him where he could find the church and state united together, and where he could find, though tithes were created by men, that they were designated by God as the engine of political aggrandizement, or of individual or national oppression? The right honourable gentleman denied philosophical toleration; Socrates was a philosopher, and Christ himself was the greatest philosopher that ever lived. Did the right honourable gentleman recollect that these statutes against popery were the emanations of perjury and lies—just like the cry raised by himself in 1807—just like lord George Gordon's riots in the year 1780—the right honourable gentleman himself being now at the head of that or of a similar mob? Had the right honourable gentleman considered the nature of his militia interchange plans, when he censured his noble friend's (earl Grey's) measure in favour of the catholics? What was lord Howick's measure? The opening of certain situations in the army to the catholic officers. Why, by this interchange you brought catholic soldiers, commanded by catholic officers, to defend these realms!—This was lord H.'s measure on a scale ten times more extensive. And was it this then that endangered the church?—Was this the ground on which the cry of No popery was raised?—But the matter did not rest here. The casualties of the army at the lowest com-

putation amounted to 22,000—(would to God they were not more!)—and your ordinary recruiting furnished only 9000—you were forced to have recourse to volunteering from the militia. The catholic soldier would not go without the catholic officer. The officer therefore must be permitted to go; and here was lord Howick's measure completed. These inconsistencies could be accounted for upon the supposition that on this subject the right honourable gentleman, ingenious and acute as he was, entertained prejudices so gross, that it was impossible for him to see any thing clearly through their mist. But the right honourable gentleman's intolerance had injured the recruiting. For these three years past, the catholics had not enlisted. The priests had prevented them, and no wonder. Give back then their privileges to the catholics, for they had them before. Give them by degrees; or, if you do not, the time will come when they must be given at once—and that once may be a season of serious convulsion in the state. He concluded by expressing his sincere hope that the day would come when those claims would be considered—and when no such infernal cry of "No popery" would be raised as that which had been excited three years ago.

Mr. Stephen commented in severe terms upon Mr. Whitbread's sentiments. He declared the toleration which he had panegyrised in France, to be nothing but a mixture of despotism and hypocrisy; but, indeed, he believed that there was no measure of Bonaparte's of which the honourable gentleman would not be the apologist or advocate. (*A loud cry of "Order, take down the words."*)

Mr. Whitbread.—"The words impute

impute to me such a degree of criminality, that I must insist on their being taken down."

The words were repeated to the clerk, and taken down.

The speaker—"The next step is to have the words read, in order that the honourable gentleman to whom they are imputed, may deny or justify them."

The words were read.

Mr. Stephen—"I might have used the words which preceded those, but I do not recollect those which followed."

The speaker—"The next course is to divide the house on the question, whether the words have been used or not. Does the honourable member persist in that determination?"

Mr. Whitbread—"I have considered that as the offence was a public insult to the house, I ought to demand their apology here rather than elsewhere. (*Hear, hear.*) I am so far satisfied, and I do not

believe that the honourable member meant the words in the full extent to which they might be imputed."

Mr. Stephen—"I really uttered the expression which I did, hastily, in consequence of the irritation of the moment, at, as I thought, the unfounded and unwarrantable imputation cast on my right honourable friend."

Mr. Whitbread—"Does the honourable member mean to say that I am an enemy to my country?"

Mr. Stephen—"Far from it; I believe the honourable gentleman to be as warm a friend to the country as any man can be."

The speaker—"This business is now at an end."

The cry of question here becoming very general,

Mr. Grattan replied, and the house divided

For the motion	-	83
Against it	-	146

Majority - 63

## CHAPTER VI.

*Debate on Lord Milton's Motion respecting the Re-appointment of the Duke of York—Mr. Hutchinson on the Military Policy of the Country—Sir Francis Burdett on Corporal Punishments in the Army—Earl Grey on the Disavowal of the Principle of Assassination—Earl Stanhope on the Sale of Guineas—Resolutions on the Circulating Medium, &c.—Lord Cochrane's Motion respecting the Prize Courts at Malta—Mr. Brougham's Motion respecting a Court Martial held on Lieutenant Richards—Prorogation of Parliament.*

June 6.—**L**ORD Milton, in rising to make a motion respecting the re-appointment of the duke of York, said, if the executive government was allowed to be under the control of parliament, and the appointment to of-

fices affecting the welfare of the country a subject to inquire into which that house was competent, then he must declare this to be of that description. The house would doubtless recollect, that at no very distant period they were engaged

in a long and laborious inquiry into the conduct of the illustrious personage now appointed commander-in-chief—they would recollect how that inquiry terminated, and the motions which it gave rise to, as well those which were negatived as those which remained upon the journals of that house. It was not his intention now to enter into the merit of the evidence on that occasion—he had only to do with the results. The first address which was moved, was an address to his majesty, accusing the duke of York of personal corruption and connivance. Against the adoption of that address he among others had voted. But though he was ready to acquit his royal highness of personal corruption, still he could not absolve him from several minor charges. He thought he was guilty of a criminal negligence—of a something so bordering on connivance, that it was impossible for him to remain with propriety in his situation. Though the necessity of his immediate resignation did not seem to impress itself so strongly on the majority of that house as it did on his mind, still he must contend, that the resolution which they had come to was such as to lead to that resignation. He was not present at the termination of the inquiry, owing to circumstances which he would not then explain; but still he believed himself to be correct in stating, that on the last day a motion had been proposed by an honourable gentleman, the member for Bristol, which, if carried, must have led to the resignation of the duke by the vote of that house. An amendment was however moved by a noble friend of his, (lord Althorpe,) namely, “that as his royal highness had then

resigned his office of commander-in-chief, it would not be necessary for the house now to go into the further details on this subject.” This amendment, with the exception of the word “now,” was put upon our journals. The house therefore determined not to proceed, merely because his royal highness had previously resigned the command of the army. These were the premises on which the house came to their final determination; and on these premises he should ground his present motion. In effect, and in words, the resolution was a declaration, that unless the duke of York had resigned, that house must proceed further. This he contended was no forced construction—the meaning evidently was, that his royal highness should retire. In order then to maintain the dignity of that house, he called on it to protest against the present appointment; he called on them as they valued the dignity of that house, the reputation of the government; and the purity of the representation. He entreated them to consider well what they were going to do; to consider whether they would now sanction what parliament—nay, what that very parliament then sitting, had expressed an opinion against. He hoped they would have a due regard for their own dignity, and not suffer in silence such an insult on the house. What was it to be borne that a retired officer, driven from his situation by his own misconduct, whose resignation was approved by that house—was it to be borne, that after only two years absence he should again be brought back into that situation from which his own misconduct had been the cause of his retiring? He called on parliament  
not

not to suffer it. If there were men in that house, who for purposes of their own, or from some notions of theory into which he did not mean to inquire, wished to see that house yikied in the public opinion, and saw it passing contradictory votes on the very same subject, no doubt they would be rejoiced to find that not one was found to come forward and rescue its character. He did not mean to assume to himself any great merit, because he should consider himself unworthy to be a member of parliament if he did not do his duty. He knew it would be said that the duke of York had been sufficiently punished already—that his offences were venial and trivial, and such as two years' expiation ought to obliterate. He could not agree that a deprivation of office ought to be considered in the light of a punishment; he was ready to allow that even a temporary incapacitation to hold office would be a punishment; and then he would be, at the expiration of the time, as ready as any man to allow that the faults which had caused such incapacitation were obliterated. But he would ask, if the duke of York was unfit for office in March 1809, what had since happened to make his return to it fit? He agreed, that it was very desirable that men in the high station of his royal highness should enjoy character, reputation, and honour. If this was not the case in the present instance, it was not his fault, but that of his royal highness. It was impossible for him to shut his eyes to the misconduct of that illustrious person; and he must say, if his royal highness now stood in the same light as he had done in 1809, he was incapable of holding his office. The noble lord concluded by moving,

“that on a deliberate consideration of the circumstances which had led to the retirement of his royal highness the duke of York from the command of the army in 1809, it appears to this house to be highly indecorous and improper in the advisers of his royal highness the prince regent to recommend the re-appointment of his royal highness the duke of York to the office of commander-in-chief.”

[At the desire of lord Milton, the several resolutions which had been entered on the journals, immediately preceding and at the termination of the inquiry into his royal highness's conduct, were then read.]

The chancellor of the exchequer would endeavour to bring his answer to what the noble lord had advanced into as narrow a compass as possible. In the first instance he must declare, that, in the opposition which he was about to give to this motion, he did not mean either to screen himself or his colleagues, or shrink in the slightest degree from the responsibility which naturally attached itself to their situations. They were, he knew, both legally and constitutionally responsible; but he here wished to go further, and declare, that in this instance they were responsible in fact also. He was the more anxious to do this, because he observed that an attempt had been made (of course he did not mean to insinuate that it was made by the noble lord) to represent ministers as ready to shrink from any responsibility in this case, and declare themselves rather agents than advisers. In the commencement of his speech, the noble lord seemed to think that a doubt had arisen as to the propriety of submitting any appointment to the control of parliament. For his own part, he never

never meant to deny that a minister who advised an appointment contrary to the opinion of parliament, or the expressed sense of the country, was fully within the inquiry of parliament, and responsible for his act. He would now proceed to show the circumstances which had immediately preceded the appointment of his royal highness to the command of the army; and when the house was in possession of them, they would be better enabled to judge of its propriety. The house must be aware, that the gallant officer who held the command of the army since the resignation of the duke of York, was an officer not only of long and eminent service, but of advanced age. He had been for half a century in some active situation in the service of his country. On his being attacked with illness in the beginning of the year, he had made a representation to his royal highness the prince regent, that neither with safety to himself nor justice to the duties of his office could he continue to hold it. To this representation, made most earnestly, and repeated more than once, it was impossible not to attend. The place then thus becoming vacant, the next question which arose, was as to the propriety of the person to be chosen to fill it. From the situation of our army, and our extended scale of operations on the peninsula, it was quite impossible that such an office could be suffered to remain long vacant. Who then ought to be chosen as the successor to sir David Dundas, was the question? From every view which he could take of affairs, he was inclined on every account to fix his choice on his royal highness the duke of York. Whatever might occur to others, still when

he considered his long and tried services—the advantage of which he had been to the army—and when he also considered who were likely to become his competitors, he must say, without any disparagement to those gentlemen who under other circumstances would be very eligible, that he preferred the appointment of his royal highness the duke of York. There was no difference of opinion on this subject; and he certainly could not hesitate, when he considered that his royal highness was particularly qualified; which appeared from his arrangements, all of which were calculated to be of benefit to the service, of advantage to the officer, and of comfort to the soldier;—arrangements too, several of which seemed to be made to prevent many of those practices which it was the object of the inquiry to detect. Under these circumstances, he thought they would disgrace themselves, if, from an apprehension of any motion which either the noble lord or any one else could bring before parliament, they withheld from the public the advantages to be derived from the services of his royal highness. There was not, either, the least reason to suppose that his restoration would be received with any indisposition on the part of the army. He did not mean to infer that their mere choice ought to direct any appointment; though certainly, if ever there was a time when the feeling of the army ought to be made the ground of action, it was the present: but when their feeling was founded on the eminent services of the individual who had excited it, then that feeling and the ground of the appointment were the same. Unless, then, there was something in the manner in which the house had

had on a former occasion expressed itself, there could be no doubt of the propriety of this appointment. According to the statement of the noble lord, one would suppose that he thought the resolution of the house militated against the duke of York's return to office, not only now, but for ever. If not for ever, and yet that the appointment was to be conceived improper now, at what period could any one say the prohibition was to expire? What, however, was the state of the case at the conclusion of the inquiry? The first resolution went to acquit his royal highness of any personal corruption or connivance. It was a full, fair, free, and complete acquittal. After his acquittal, then, certain circumstances operated on the mind of his royal highness, which induced him to tender his resignation. The noble lord had said, however, that it was the opinion of the house that he should retire. This was never expressed, and therefore it was impossible for the noble lord to have any means of knowing it. He should not pursue what had been detailed at the time or what had been detailed since; but he could not avoid asking the house, whether, if, previously to the termination of the inquiry, they had been aware of the nature of the conspiracy which was on foot—aware by what means the evidence had been obtained, and what arts had been employed to represent that as an independent and patriotic inquiry—he would not ask, after all that, whether their decision would have been different; but he would ask whether they thought all that feeling would have been excited in the country? What then, he would ask the house, was to be inferred from the resolution? What but a complete ac-

quittal? The next step was a declaration that it was not necessary to go further. In the amendment, the word "now" was particularly emphatic. The amendment said it was not "now" necessary to go further. It did not mean, that because the duke of York had resigned, they would not then go further; but that on his re-appointment, or at any future time, it would be at their discretion to enter into further investigation. The case left off with a full acquittal on the part of the duke of York of all guilt. The house, however, might take a view of all the previous circumstances, and then he left it to them to judge whether they thought the prerogative had been so ill exercised in this instance as to call for their interference. The advice which had been given, had been given under a full consideration of all the circumstances; and on these circumstances he relied for his justification. The advice had been called for by the long, tried and eminent services of the illustrious personage in question, who had fully proved himself most capable of filling the situation. In recommending his appointment, he really thought that he was recommending the appointment of the fittest man in the country for the office; and he now left its consideration to the house, with the observation, that they could not censure it without changing and contradicting the construction of their own resolution.

Mr. Whitbread, after a very able speech, observed that some sneers had been thrown out on the manner in which the charges were brought forward; and it was insinuated, that the evidence had received much discredit from circumstances which had since transpired, and



and that a great slur had been thrown on the character of those who were principally instrumental in bringing forward those charges. He would ask, When, where, and how had this taken place? All the evidence which was hinted at, was completely before the public, and it did not appear to him to justify the imputations which were cast. He was free to confess, that if he had been a jurymen on those trials, he thought that he should have given the same verdict on the evidence produced at those trials; but was that to wash away and carry to the grave all that immense mass of evidence, and the many written documents which were produced at the bar of the house? Was there any proof then given, that any person, on whose testimony those charges had mainly been supported, was unworthy of credit in a court of justice? He could see no reason to change the opinion which he had then formed, and therefore he should not now change his vote. He conceived, that a vote in favour of the conduct of ministers upon the present occasion would be hurtful to the constitution, and disgraceful to the house of commons. It was generally understood at the time, that a vote of censure was only suspended by the resignation of his royal highness. Under those circumstances, it was hardly to be conceived that ministers would have proposed his re-appointment.

Many other honourable members spoke, chiefly in favour of the re-appointment of his royal highness, and on a division, there were for

Lord Milton's motion - 47  
Against it - - - 296

Majority 249

June 7.—Mr. Hutchinson, in pursuance of a notice, made a mo-

tion on the military policy of the country; and at the conclusion of an able and very luminous speech, he said, "We have lost the finest opportunities! we have exhausted ourselves in a vast variety of insular, and some purely buccaneering expeditions, which have thrown a deceitful colouring of glory on our arms, and which appear to have enriched, while, in fact, they have impoverished the state, and deceived the people with an appearance of security, strength, and prosperity, entirely fictitious. This system has depreciated our military character, called in question our capability and good faith, and afforded an opportunity to the enemy nearly to accomplish his deep-laid scheme of universal empire, while our conquest of the insular world avails us nothing. But this is not the moment for complaint; the past is irretrievable—the future is yet our own. I cannot conceal from the house my conviction, that this contest, sustained in the manner in which we are now carrying it on, cannot fail to terminate fatally. At this moment, the efficient force under lord Wellington is over-rated at 25,000 men. It is also divided, and opposed by superior French armies; these armies, certain soon to obtain considerable reinforcements. What are our views? For the moment we are taking up strong positions on the frontiers, where, at immense loss, we have repulsed the enemy; but the intention, the avowed plan is, to fall back to our position when the enemy shall have strength to advance in force, and to re-occupy our lines in the neighbourhood of Lisbon, which require 70,000 men to defend. But should our losses continue in the proportion that they have been since the opening of this campaign, and

and our supplies be as slowly and sparingly furnished as they have been since the commencement of the peninsular war, the result cannot be problematical, but failure the most complete, inevitable. One cannot hear with patience, after all our boasted facilities and maritime advantages, and the great difficulties under which the enemy carries on his operations in the peninsula, that at this moment, while we possess a numerous useless cavalry at home, which we could (as it were in a moment) transport to the opposite shores, we are greatly outnumbered even in that arm. One cannot silently hear the merit of such an enemy decried, after his having overcome all these obstacles, and recently performed some of the most difficult and gallant military achievements; such as the retreat from Santarem; the evacuation of Almeida, with the destruction of that fortress, and the preservation of its garrison; and the undaunted heroism displayed in the late sanguinary battle, where, on the heights of Albuera, the troops of the two most warlike nations of the earth never more distinguished themselves, though victory declared in favour of Britain.—Mr. Hutchinson concluded by moving a series of resolutions, of which the following is the most important:

“That anxious as they are to obtain a durable, a safe, and honourable peace, they can see no means of obtaining this inestimable good, but in the vigorous prosecution of the war, in a strict economy of all the remaining resources, in an indissoluble union, by one common interest, of every class of his majesty's subjects, and in military efforts proportionate to the danger, and limited only by the extent and

powers of exertion which are to be found in this empire.”

The chancellor of the exchequer opposed them, and they were negatived.

June 18.—Sir F. Burdett rose to make the motion of which he had given notice respecting corporal punishments in the army. In the view that he took of this subject, he was sanctioned by the opinions of many general officers, and persons who had eminently distinguished themselves in the service of their country. Many of those officers not only agreed with him in theory, but had proved in practice, and in the discipline of their corps, that the system of flogging is not essential to the discipline of the English army, and that it was as unnecessary as it was cruel and disgraceful. Among the many bright examples of officers that knew how to maintain proper discipline in [their regiments without flogging, he thought it would be injustice not to mention the illustrious name of his royal highness the duke of Gloucester, who for the last three years had kept his regiment in a high state of discipline without having resource to flogging; and it appeared to him that his conduct in this respect did equal credit to his abilities as an officer, as it did to the amiable qualities of his heart. He was sorry to be obliged to state another most remarkable instance of the inefficacy of pursuing an opposite line of conduct. He must say that the 15th regiment of dragoons was a regiment long distinguished for its efficiency in the field, and for its peaceable, modest, and proper demeanour in every respect, before his royal highness the duke of Cumberland got the command of it.

it. Until that time, punishments of this nature had seldom been known in it; and it was a melancholy thing to state, that more cruel punishments took place within a very few months after the duke of Cumberland was appointed to the command, than had taken place in that regiment ever since the period of the seven years war, down to the time in which he had got the command of it. In the cases that he should think it necessary to state to the house, he derived his information from persons who were in situations that gave them the means of knowing, and of whose veracity he had no doubt. He did not think it proper to name his authorities in the first instance, although many of them had given him permission so to do. Here the honourable baronet gave a detail of facts enough to harrow up the emotions of the most unfeeling heart, partly from what he had heard from unquestionable authorities, and partly from what he had seen while he was a prisoner in the Tower. But, he said, great as the corporeal suffering must be in such cases, he thought the shame and disgrace of it were still worse. There were but few persons who knew what a severe instrument of torture the cat-o'-nine-tails was. Every lash inflicted by it was, more properly speaking, nine lashes. These were pieces of whipcord, not such as gentlemen used to their horse-whips, but each of them as thick as a quill, and knotted. This dreadful engine of torture was frequently applied by the strength of fresh men relieving each other until human nature could bear no more suffering; and then, if pains were taken to recover the unhappy sufferer, it was only to enable him to undergo fresh agony

and further pain. What appeared to him to be the most disgusting thing in the whole transaction, was the attendance of the surgeon, whose business seemed chiefly to be to detect any lingering principle of life which could enable the man to undergo more torture! and his art and knowledge, with an almost impious profanation of the healing art, were exercised principally for the purpose of renewing the faculty to bear fresh tortures. He really did not believe that in the description the poets gave of hell, there were any tortures equal to what is called a military punishment. After a variety of other observations on the cruelty and inefficacy of the system of flogging, he concluded by stating, that considering the advanced period of the session, and the impossibility of now going into the inquiry, he thought it the best way to move for an address to the prince regent; which he did to the following effect:—"That an humble address be presented to the prince regent, praying that he would be graciously pleased to take into his consideration the practice of flogging soldiers; and that he would be pleased to give such orders to the officers commanding regiments as might restrain, and in time remove, the cruel and unnecessary system now in force with respect to punishments in the army."

Mr. Manners Sutton admitted the importance of the subject, but must think the statements much exaggerated. The very object proposed was already attended to, so far as was consistent with the military policy of the country, and could be made useful or manageable. It was unfair to speak of the effect of the law until it had been tried: from the lateness of its enactment it had not been fairly tried.

Even

Even now, frequent applications had been made to him to know how far the usual punishment might not be commuted for imprisonment. Instances of cruelty had been spoken of. If those were brought forward distinctly, they would meet investigation, and receive punishment. The practice which had been lately adopted of bringing military subjects before the house in all cases was mischievous. Much mischief must be done by its growing into a custom. If parliament made itself a court of military appeal, it would soon find that it had taken upon it an excessive burden. It was unfounded to attribute the perfection of our discipline to any thing but the mutual respect of officer and soldier. This was not meant to cut off the appeal to the authority of the house in matters of extensive military policy; but to make that application customary would unhinge the whole frame of discipline. The source of the late glorious successes of our soldiers was not numbers, they were always inferior; nor exclusive courage, for it would be a calumny to suppose all other nations cowards. The system would be broken down by this habit of appeals to parliament. If the army were accustomed to make those appeals, some trifling abuses might be corrected, but the army would be gone. Where was the substitute for the present system? Imprisonment was now part of it. Capital punishment might be used; but was it to be said that there was to be no punishment, except capital, for the higher offences?

Mr. Brougham regretted that the actual statement of that motion seemed to have totally escaped the honourable member; whose speech was much more like a prepared an-

icipation of a speech expected, than an answer to one made. The cases which his honourable friend had adduced had been objected to, but he would not trouble himself about those cases. He was satisfied with showing, from the principle of reason and law, that the system of flogging was unwise. This was the object of the motion, and nothing relating to any particular case: he was only anxious to bring the house to a pledge that it would proceed on the subject next session. The spectacle of a military flogging was one of the most horrid; and that not on the testimony of persons of peaceful habits, but on the authority of officers educated in the view of them. But those were the very men who talked of them in the most powerful language. The representations of those officers would have been answered, if they were capable of being answered; but they were not. They had given their names in the face of the whole army. The duke of Gloucester thanked his lieutenant-colonel for not having had a single flogging in his regiment for two years and a half. Was there any decay of discipline on that account? The practice was ruinous to the soldier. He lost his spirit, feeling, and character. The motion should have his support.

Several other members spoke on both sides, and the house divided—Ayes, 10—Noes, 94.

House of lords, June 24.—Earl Grey rose to call the attention of their lordships, and of his majesty's ministers, to an article which had appeared in a French newspaper published in London, and which had been put into his hands; in which the horrible doctrine of assassination was preached up and recommended in the most direct terms.

terms. The article he alluded to purported to be an extract from some English publication; and sorry was he to suppose that there was any Englishman who had a heart to conceive, or a hand to write, such a sentence as that which he referred to. As this paper might have some circulation upon the continent, and might perhaps excite the idea that such infamous doctrines might receive countenance in this country, he did feel it necessary that his majesty's government should have an opportunity of expressing their abhorrence of such sentiments; for were they to circulate in such a shape on the continent, without being expressly disclaimed by their lordships and by the government, they might produce effects most injurious to the character and disastrous to the interests of the country. The article in question purported to be an extract from a work which recommended an anti-Corsican association. Here the noble earl read an extract from it, the substance of which was, "that however reprehensible might be the general principle of cutting off your enemy by private means, yet it was possible to prove by solid reasons, and from weighty example, that in certain cases assassination was justifiable. When a man had been guilty of the most atrocious acts both of individual and national injustice—when he had, in fact, declared himself bound by no law, and utterly beyond its reach—and such was the situation of Bonaparte—before what tribunal could he be brought, and how was vengeance to be inflicted upon him?"—The paper then went on, said the noble lord, to enumerate various acts of atrocity ascribed to the ruler of France; such as the murder of the duc d'Enghien, of

Pichegru, of captain Wright, of Palm, and others, treating the subject in such a way that no one could understand it but as a direct incitement to assassination. In this view he was most anxious that their lordships and his majesty's government should solemnly and publicly enter their protest against any such doctrines, that it might go abroad to the world, and counteract any false impressions that such doctrines might produce. He was sorry if it should be found that, under all the circumstances, the law did not admit of the publisher of such doctrines being punished in the most exemplary manner.

The marquis Wellesley observed, that he could truly say, in point of fact, that the paper in question was never seen by him till it was communicated to him by the noble lord opposite. He fully coincided with that noble lord in thinking that such doctrines could not be too strongly reprobated, and that the atrocity of the sentiments could only be equalled by their absurdity. A doctrine more horrid in all respects he could not conceive; and he disavowed it, not only as a minister of the crown, but as a man of common sense. This writer has said, that the ruler of France had placed himself above all law; but he (lord W.) trusted that there still remained a tribunal before which he might be compelled to answer, even in this world. The nations of Europe might still call him to account, not by the poniard or the stiletto, but by calling forth all their energies, and punishing him in the field for all those acts of perfidious aggression by which his name would ever be rendered odious. In that point he doubted not the noble earl would concur with his majesty's government. It

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was lamentable that such a production should have issued from a British press; and he was sorry it had escaped his attention, though for only a few days. He would only add, that there was no way in which government could take an opportunity of reprobating such doctrine that they would not adopt, and if possible bring the author of it to condign punishment.—Adjourned.

June 27.—Earl Stanhope, on introducing the bill of which he had given notice, regretted that the subject had not been taken up by government, as he conceived it to be of the greatest importance. An individual possessed of large landed property had given notice to his tenants that they must at this midsummer pay their rents in gold, which was accompanied by an intimation, that if they tendered bank-notes, such notes would only be taken in payment at the rate of 16s. in the pound.—For the dreadful oppression upon the tenantry of the country to which the adoption of such a system would lead, it was absolutely necessary to provide some legislative remedy. Supposing a tenant to owe 400*l.* for rent, he would thus be called upon to pay 500*l.* instead of four, and the consequences might spread still further: supposing a banker to owe 400,000*l.* to those who had deposited money with him, how was he to stand if he was to be called upon to pay 500,000*l.*? He had consulted both bankers and professional men of the law as to the remedy he proposed, and they were all of opinion that it was the right remedy. The remedy was simple: it was merely to render it illegal to receive gold coin for more than the mint value, or to receive bank-notes for less than the amount ex-

pressed on them. This would prevent the evil which must otherwise arise from the act of injustice to which he had alluded, and which must be aggravated in a still greater degree, if the example of injustice thus set should be followed by others. Therefore, however late the period of the session, he thought it absolutely necessary that some step to remedy the evil should be taken now, as when parliament met again it might be too late. It was also a serious consideration how far the bank of England might be affected by the adoption of a system similar to the conduct of the individual alluded to; and it was incumbent on the government to look anxiously to this point. He considered the bank of England as the bottom plank of the ship of England, which if once bored through, the ship itself was placed in a situation of the greatest danger.—His lordship then alluded to some reports respecting him which had got abroad, and which were utterly false; and, after stating that he was solely actuated in the measure he now proposed by public motives, concluded by presenting a bill for preventing guineas, half-guineas, and seven-shilling pieces, from being taken for more than 21s.—10*s.* 6*d.*—and 7*s.* respectively, and for preventing bank-notes from being taken for less than the sums expressed in them; of which he moved the first reading.

The earl of Liverpool was perfectly convinced that the noble earl was actuated by the best motives in bringing forward this bill; and so far as he had time to consider the measure, he thought it the best remedy for the grievance complained of, if any remedy were now or should be necessary. He thought, however, that it was unnecessary at

the present moment to make any legislative provision upon this subject, particularly at this late period of the session, when so many persons were absent, not expecting any thing of importance to come on. He admitted, that if it was absolutely necessary to make a legislative provision with reference to this object, they must proceed in it, however late the period of the session, and whatever might be the inconvenience. He was aware of the case to which the noble earl alluded, and knew that the notice had been given by the individual referred to, to his tenants to pay in gold; and it was accompanied, not merely by an intimation, but by a notice, that if bank-notes were tendered, they would only be taken in payment at a depreciated rate. He was of opinion, however, that this example would not be followed; nor did he think that the individual alluded to would persist in the demands he had made. It was under this impression that he thought a sufficient case had not been made out for legislative interference. They might be reduced to adopt the remedy now proposed; but he thought, as there was only the instance of the conduct of one individual, which, he was of opinion, would not be persisted in, that there was not sufficient ground for parliament to make a legislative enactment. It was in this view of the subject, that he intended, on the motion for the second reading of the bill, to move to postpone it for three months.

Earl Stanhope, in reply, strongly contended that the subjects of the land ought not to have the security of their property rendered dependent upon the caprice or whim of individuals, and that a legislative remedy ought to be pro-

vided. It was the whim of some persons, and he could only call it a whim, to have gold in preference to any other circulating medium. This desire to have gold was founded in ignorance, as there might be a circulating medium without gold perfectly adequate to all the exigencies of the country, and which might be effected by the branches of the bank of England, and the entries in the bank-books to which he had alluded on a former night. Gold was only the measure of other things, and was not necessary to circulation.

The bill was read a first time, and ordered to be printed.

It is sufficient to say on this subject, that in the succeeding stages of the bill ministers applauded the patriotism of the noble lord; and an act was passed to prevent the purchase and sale of guineas, &c. for more than their nominal value. The discussions in both houses lasted three weeks; after which, on the 16th of July, his lordship recommended certain resolutions to the serious consideration of the house, as they contained recorded principles on this most important question. He moved that the resolutions be printed.

The following is the substance of the resolutions:—

1st. That an internal circulating medium, which shall be a legal measure of value, is essentially necessary.

2dly. That it is highly expedient that such medium should be steady and invariable.

3dly. That two or more circulating mediums, which may vary in their relative value, cannot form the requisite medium.

4thly. That one only should, therefore, be made a permanent legal standard.

5thly. That

3dly. That such legal standard should be of such a nature as to be divisible into any required parts, or fractional sums.

6thly. That it is moreover expedient that such permanent legal standard measure be so contrived as to be easily, rapidly, and safely transferable, without expense, from any one person to any other person, and from any one part of the country to another, either for the use and benefit of the same individual, or of any other individual, free from any depreciation, defalcation, or discount, and free from any loss by forgery, or by wear and tear, and also free from any danger of loss that might arise from house-breakers, highway-robbers, mobs, insurrections, or even from foreign invasion in any particular district; and likewise free from any loss that might arise from the accidental or intentional destruction of any dwelling-house, banking-house, or other building, by fire or otherwise; and moreover free from any loss of interest on any quantity, however considerable, of such circulating medium, which shall or may hereafter exist, and be transferable in any of the various ways above mentioned; and (above all things) free from being affected by the course of all or any of the foreign exchanges.

7thly. That neither gold nor silver ever did possess, or ever can possess, the various important and requisite qualities which are above particularly specified.

8thly. That the want of gold in circulation prevents persons who have large payments to make, from making a legal tender to the amount of the money so due and payable.

9thly. That it would be unjust to make bank-notes a legal tender, because the person to whom they

are offered may not be certain that they are not forged.

10thly. That for these various reasons, it is highly expedient that a permanent mode of making payments be established, by means of which, legal tenders, even to the largest amount, may be made without gold, and by means of which legal tenders for fractional sums may be made without either silver or copper.

11thly. That to satisfy the public as to the solvency of the bank of England, the company should, every session, lay before parliament a clear view of their affairs, and that a maximum be placed on their issues both as to the number and value of their notes.

12thly. That it is expedient, that the bank of England shall establish various branches throughout the whole country, and in many parts of the metropolis; and shall cause books to be opened in each of those places; and that persons possessed of bank-notes shall be entitled, upon depositing such notes, to have a credit in the bank-book at the place where such deposit is made, equal to the value in pounds sterling which is specified in such notes to be payable to the bearer on demand; and that every person, having such credit so entered to his account, in any one place as aforesaid, shall be entitled to transfer the whole of such sum so accredited, or any parts thereof, either to his own account or to that of any other person, at any place where any such book is opened.

13thly. That for the perfect security of all persons who shall at any time become possessed of any such credit as aforesaid, it is expedient that triplicate corresponding entries be made, the first of which shall



shall be on the bank-book at such place, the second of which shall be delivered to the person who shall have brought the bank-notes as a certificate of the proper entry having been made, and the third of which shall be forthwith transmitted to the original bank of England in London, in order to be by them filed and daily transmitted to the tower of London for safe custody, after such last-mentioned triplicate shall have been duly recorded in the books at the bank of England itself, and that every transfer be made in like manner.

14thly. That as, under proper regulations in detail, such book-entries and such book-transfers cannot ever be forged, it would be highly expedient that the law should authorize legal tenders to be made, by tendering such a book-transfer as aforesaid of the sum due, in such form and manner as shall hereafter be prescribed by law.

These resolutions were opposed by the earl of Lauderdale; but the house after some debate agreed to the motion for printing them.

House of commons, July 17.—Lord Cochrane made his motion relative to the management of the prize-courts. His lordship stated, that the heavy expenses to which suitors were subject in the admiralty courts, deterred many of our naval officers from capturing neutral vessels, or even cutting off the small French coasting vessels. He then moved for some papers on the subject.

Messrs. Perceval, Rose, Stephen, the attorney-general, and sir William Scott, saw no grounds for the motion. The latter gentleman said, had he been apprised of any guilty practice in his court, such as bribes to the clerks of the proctor's office

to do their duty, he should certainly have corrected them. The motion was negatived.

18. Lord Cochrane entered into a statement of the abuses in the prize court at Malta; and gave a detail of his arrest by order of judge Sewell, on suspicion of having taken away a table of fees. He said that his visit to that island was in consequence of receiving the opinion of sir V. Gibbs, sir T. Plomer, and other crown officers, who stated that if he had been charged too much by the proctor at Malta, in procuring the condemnation of a vessel, the judge of the admiralty court there could give him redress. He was, however, unable to obtain it there; and he had since learned that the judge and the marshal of the court, who was also a proctor at the same time, contrary to law, were out of the jurisdiction of the English courts. He wished to know if this was a breach of privilege.

The speaker said, the process of the house could only be executed by its own officers; and he never knew an instance of an officer going beyond seas to execute one. The noble lord had admitted, that he was committed for a contempt of the admiralty court, which could not be considered as a breach of privilege.

Lord Cochrane's motion was then negatived.

Mr. Brougham, in moving for the production of the minutes of a naval court martial held on lieutenant Richards, of the Dart guardship, in Carlisle Bay, Barbadoes, stated that a seaman of that ship was under confinement for very bad conduct; and having, while undergoing it, behaved indecorously, and disturbed lieutenant Richards, who was

was then on duty, he went up to him and gagged him by forcing a large piece of iron into his mouth, and fastening it by a bandage round his head, his hands at the same time being tied behind his back. In this state the man was left without any sentinel placed over him, and the officer went on shore: some hours after he was found dead, having apparently been suffocated. The officer had been tried by a court martial, and dismissed the service. The honourable gentleman then stated another instance of barbarity in a naval captain, who having flogged many of his crew with great severity, one man declared that sooner than be flogged again he would leap over-board. The captain, hearing this, said he would try him; and, having ordered him to undergo a castigation, the man leaped over-board. The vessel was at that time under an easy press of sail, and there was a general cry to lower a boat; but the captain would not suffer it, saying, "If he prefer that ship to my ship, he is welcome to sail in it." Accordingly no attempt was made to save the unfortunate man, and he was drowned.

Mr. Yorke said that lieutenant Richards had been tried for the murder of the seaman belonging to the Dart, who was drunken and dishonest, and who had blasphemed both God and his king; but it ap-

peared that he died of intoxication. Notwithstanding, lieut. Richards had been dismissed the service.

On the motion of Mr. Perceval, the charge and sentence of the court martial, instead of the minutes, were then ordered.

House of lords, July 24.—The lord chancellor read a letter from lord Wellington, stating the communication of the thanks of the house to marshal Beresford, &c. for the victory at Albuera; and also read one from sir W. Beresford, expressing his high sense of the honour thus conferred.

The lord chancellor then stated that two commissions had been issued under the great seal; the one for giving the royal assent to certain bills, and the other for the prorogation of parliament by commission, it not being convenient for the prince regent to be personally present. The royal assent was then given to the bank-notes and the militia interchange amendment bills; after which the archbishop of Canterbury, the lord chancellor, earl Camden, earl Westmoreland, and the earl of Aylesford, having taken their seats as lords commissioners, and the speaker and several members of the house of commons being at the bar, the lord chancellor delivered the speech which will be found among the Public Papers in another part of this volume.

## CHAPTER VII.

*Retrospective View of the Proceedings relative to the Regency in 1810—Principles on which Ministers proceeded—compared with the Principles of the Opposition—Difficulties attending both Views of the Question—The Opinions of Sir Francis Burdett and his Party on this important Point—The high Character*

*Character they gave and Expectations they formed of the Prince when he should become Regent—Proceedings of the Common Council—Remarks on their Resolutions—The Circumstance which gave rise to the 8th Resolution stated, viz. the Issue of Money from the Exchequer by Authority of Parliament—The Events connected with the King's Illness in 1801 and 1804 recapitulated and considered—Arrangements supposed to have been making for a new Ministry—The different Parties expecting Power from the Prince—He keeps in his Father's Ministers—Remarks on this—His Conduct since he became Regent in the Case of the Duke of York and Col. Macmabon—General Reflections on his Adherence to the Ministry.*

**I**N the preceding volume of the New Annual Register, we entered pretty much in detail into those events and transactions respecting the regency which fell within the year 1810, and gave a rapid and brief sketch of such as entered on the beginning of the year 1811. We shall now carry on, more minutely and fully, the history of this most interesting and important event, in so far as it belongs to the latter year, in order that our history of it may in all its parts bear a due proportion, and that a circumstance certainly unprecedented, whether we regard it in its origin, nature, or consequences, may be transmitted to posterity with all that regularity and minuteness of narrative which its importance deserves and demands.

Before, however, we enter on the more immediate object of this volume, it may not be improper or without its use, for the better recollection and understanding of the subject in all its parts and relations, to state shortly the principles on which those who brought forward and carried the restrictions on the regent, and those who opposed them, severally founded and supported their doctrines and opinions. The minister and his adherents set out with this short and simple maxim, that a regent is not a king ;

that in every respect and point of view, whether considered relatively to common sense, to justice, or to the fundamental and essential doctrines of the British constitution, they were and ought to be radically distinct: that whereas the powers of a king were full, complete, and his own, so far as by the exercise of them he sought after and secured the good of the people over whom he reigned ;—a regent was merely a person appointed to act for another, to whom ought to be granted all those authorities, powers, and prerogatives which were necessary to enable him to supply the place and perform the duty of his principal ; but from whom ought carefully and sacredly to be kept every kind of authority, power or prerogative, which could possibly be exercised in such a manner by the regent, as might endanger the easy and full resumption by his principal of his legitimate rights, or tend in the smallest degree to embarrass or weaken the exercise of them, when actually resumed. Besides this grand and leading principle, on the strength and justice of which they contended that the royal prerogative of creating peers more especially should be cut off from the powers vested in the regent ; ministers and their adherents maintained, that not a little was due to the personal feelings and comfort

comfort of the king:—that however abstract reasoning might ridicule or hold in contempt such an idea, yet it was neither possible, nor, if possible, would it have been consonant to common justice or humanity, to throw entirely aside, in the consideration of this question, and in the arrangement of the particular authorities to be vested in the regent, all regard to what the king might be supposed to have wished, could he have expressed his wishes, and what it was highly probable he would feel when restored to the exercise of his reason. Upon this subordinate principle, which certainly carried along with it every feeling man and loyal subject, and which was well calculated to create a favourable impression in the public mind towards those who promulgated and supported it; while, on the contrary, it was dangerous to oppose it, lest the imputation of want of feeling or loyalty should create a prejudice against the constitutional doctrines on which it might have been successfully combated;—upon this principle, ministers contended that the household of his majesty should be left untouched by the powers of the regent. The appointment of the person to whom the care of the king was to be committed, arose from a mixture of both the principles which we have just stated:—on the first and grand principle, it was contended, with certainly very great cogency and strength of argument, that it would be highly improper to commit the custody and care of the king's person to the regent—to one, whose interest so evidently and strongly lay in the continued illness of the king; while on the subordinate principle it was maintained, that the king's recovery would most probably be

retarded, if in his lucid intervals he was informed that the regent had the care of his person; and that, on his perfect recovery, his satisfaction and comfort would be much more complete, if he found that his consort, and not the heir apparent, had watched over his malady.

Such may be regarded as a rapid and brief outline of the principles on which ministers and their adherents grounded their resolutions that certain restrictions should be imposed on the regent, and on which they proceeded in their selection and defence of the restrictions, which they proposed and carried. Some objections may certainly be made to the principles themselves; and others of greater weight, or at least of greater plausibility, to the application of them to the particular restrictions imposed on the regent:—but these objections will assume a less formidable appearance, when the difficulties attending an opposite line of conduct are considered. It was, indeed, a choice of difficulties; a very embarrassing and critical situation in which the country was placed; and, unfortunately, out of this labyrinth precedent afforded no clue which could conduct parliament with certainty and safety.

The principles on which the opposition grounded their doctrines and arguments bore very much the appearance, and possessed in a great degree indeed the reality, of genuine British principles. They contended in the first place,—and upon this point they laid very great stress,—and insisted loudly and repeatedly, that the good of the nation, and not the comfort or feelings of the king, was alone to be regarded, and ought alone to be suffered to enter into the considera-

tion of the question; that the prerogatives and powers, of which it was proposed to deprive the regent, were either beneficial to the community, or they were not. Powers vested in a sovereign, they insisted, could not be without some effect; if they were not beneficial to the people over whom he reigned, they could not be harmless: but in either case, whether these prerogatives and powers, which ministers proposed to cut off from the authority of the regent, were beneficial or hurtful, their principles and arguments must fall to the ground. If they were calculated and could only be exercised to produce the good of the nation, then parliament had no right, under any plea, to strip the person exercising the supreme authority, for ever so short a time, of them; or even to curtail or weaken them in the slightest manner. If they were prejudicial, then they ought not to be granted or continued either to the sovereign or the regent. This dilemma certainly was very embarrassing; nor did ministers meet it directly and fairly: indeed this important question can hardly be said to have been argued in a complete and full manner, either by ministers or by the opposition. When the former dwelt with great force of argument, and with much appearance of triumph, on the necessity of guarding the easy and full resumption of the royal authority; the opposition, instead of meeting this branch of the argument directly face to face, turned aside and declaimed eloquently, and in their turn with great triumph, on the necessity, for the good of the nation, of vesting in the regent all the royal prerogatives, as the British constitution could suppose none given, but what were absolutely

necessary for the grand object of all legitimate government, the liberty and well-being of the people. Ministers perceiving that this was not only a popular way of treating the subject, but that it rested on specious if not solid arguments, turned aside from it, and again brought into play the necessity of guarding the power and prerogatives of the sovereign, the permanent and real magistrate, against the encroachments of a temporary and delegated regent.

In one respect, the opposition pushed their argument against the ministerial party with considerable vigour, acuteness, and success; and this point, thus successfully brought forward, had considerable weight with the mass of the people. They contended, that the very principle on which ministers rested their leading doctrine, that the power of a regent ought to be restricted,—namely, that otherwise he might and would have the means of rendering the resumption of the royal authority difficult, and the subsequent exercise of it cramped,—ought to lead ministers to take away from the regent all control over the army, and the prerogative of dissolving parliament, since it was easy to conceive how these, in the hands of a person disposed to abuse his delegated and temporary authority, might be turned more dangerously and successfully against the sovereign, than the prerogative of creating peers, or removing any or all of the royal household. The opposition put this argument in all possible shapes, and dwelt upon it at great length, and with much triumph; and it must be confessed, that by thus pushing the fundamental principle of the ministry to its complete and legitimate consequences, they effected  
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one of two objects; they made out either that the principle was erroneous and unfounded, or that ministers were inconsistent in their application and use of it.

Such is a brief sketch of the leading doctrines broached by the two great parties in parliament, on the great and difficult question respecting the powers which, consistently with the spirit of the British constitution, ought to be vested in a regent. But there was a third party in parliament, more formidable for the boldness with which they promulgated and defended their opinions, and for the weight and influence which they possessed with a great portion of the people, than for their numerical strength, who, though they in general coincided with the opposition in their main view of the question, yet placed it in other points of light in which the regular opponents of ministry either durst not or were not disposed to consider it. The party alluded to is that of which sir Francis Burdett may be regarded as the head and the leader:—this party did not hesitate or scruple to maintain in the most open and undisguised manner, that ministers, by suffering government to go on so long stripped of the royal authority, and virtually of the person of the sovereign, had given a practical proof of the truth of the assertions made by the most violent republicans, and particularly by their champion Thomas Paine, that the royal authority was not necessary either to the well-being or existence of government; and they added, that if the regent actually did assume and carry on the executive power without all the prerogatives which the constitution had given to the sovereign, that would be a glaring and practical proof that

more prerogatives than were necessary to the well-being of the state had been lodged with the sovereign, and a sufficient reason to deprive him of the future possession of them. So far the doctrines and opinions held by this party were such as might have been expected from them, and in perfect consistence with their fundamental principles, and with their former professions and conduct. But when they proceeded to intermix high expectations of the prince regent, and to declare, that from him they expected a line of conduct that would, to use their own language, restore the constitution to its original purity and force, it was scarcely possible not to entertain a suspicion that they hoped, by expressing expectations they did not entertain, to draw the prince over to their party, and to extract that by flattery from him which they did not look for from principle or inclination.

The doctrines held by this party respecting the powers of a regent, were not only broached in the house of commons, but delivered with more connexion, and with equal force and boldness, in the resolutions of the court of common-council on the 8th of January 1811. Those resolutions began by expressing the deep sorrow which the common-council felt at the declared incapacity of his majesty to discharge the duties of the royal office; and the fears and alarm with which they beheld the means resorted to to provide for the temporary exercise of the functions of the sovereignty. They then proceeded to lay down the grand and fundamental maxims recognised, they maintained, not only by the spirit of the British constitution, but also by the practice of our ancestors

cessors at those periods when that constitution existed and operated with the greatest vigour and purity:—"that the prerogatives of the crown have been given in trust, and are, in fact, held for the benefit of the people; that these prerogatives could not have been so given, unless necessary to the administration of the royal power; and that they must be no less necessary to a regent, expressly appointed to supply the incapacity of the sovereign." Drawing the fair and necessary inferences from these maxims, they resolved, that if the proposed restrictions on the regent were carried into effect, they would unavoidably destroy the equipoise which ought to exist among the three branches of the constitution; and thus, by violating its integrity, impair and diminish the interests and liberties of the people. The next resolution spoke out without ambiguity or fear the doctrine avowed in the house of commons, that whatever argument could be fairly and cogently adduced for abridging the royal powers and prerogatives in the hands of the regent, might with equal fairness and cogency be brought forward to justify an entire and perpetual resumption of them on the part of the people. The seventh resolution was pointed at the motive which by many was supposed to have actuated the ministers in imposing the restrictions on the regent, that thus they might preserve undiminished their own power, and either make their continuance in office absolutely necessary to the regent, or, if he determined to deprive them of their places, his authority might be so fettered that their reinstatement would be unavoidable. An event which had occurred while the regency bill was

under discussion, afforded matter not to be passed over, for the eighth resolution. The length of time which had elapsed since the commencement of the king's malady, had created a necessity for money; this money could not legally or constitutionally be issued without the sign manual. In this difficulty, ministers were unwilling to come to parliament for authority to dispense with the accustomed forms of procedure, as this would have been virtually to acknowledge that inconvenience from the suspension of the royal authority, which they had denied to exist. They therefore determined to affix the privy seal, and with this signature to send the warrant for the requisite sum to the auditor of the exchequer. The keeper of the privy seal felt no scruple or difficulty in performing what was required of him; but it was also necessary that a subordinate person in his department should affix his name: this person, having a more scrupulous and less accommodating conscience, refused to affix his name. The warrant, nevertheless, was sent to the auditor of the exchequer; but lord Grenville, who held this office, peremptorily refused to issue the money on a warrant which was destitute of the usual and constitutional form and authority. Under these circumstances, Mr. Perceval was obliged to lay the case before parliament; for lord Grenville, in perfect consistence with the doctrines he had uniformly maintained respecting the interruption and suspension of the royal authority, had declared,—that in the present unfortunate situation of the sovereign, he regarded parliament as holding paramount power, and that he should implicitly and cheerfully bow to their commands,

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in the issue of the public money. Parliament accordingly removed all scruple and difficulty, by authorizing and empowering the auditor of the exchequer to issue the sum required.

The opposition, when this case came before them in parliament, contented themselves with commenting in pointed and severe terms on the unequivocal proof which it afforded, of the embarrassment that had arisen from the delay of appointing a regent, and with urging on the ministers the necessity of more quick dispatch in the arrangement of this business. But the common-council, in their eighth resolution, went much further; they contended that the power exercised by parliament over the issue of money from his majesty's exchequer, was subversive of the independence, and dangerous to the existence, of the regal part of the government; and that in order to prevent the necessity or possibility of again having recourse to such a measure, and thus creating a dangerous precedent, the glorious and constitutional course of our ancestors in 1688 ought to be followed, by the two houses of parliament addressing his royal highness the prince of Wales to take upon himself the civil, military, and financial administration of the government, till the regency bill should have acquired the form and authority of an act of parliament. The ground-work and tenor of this most important resolution, if examined in the least below its surface, will sufficiently prove the embarrassing and difficult nature of the case; and that it was almost impossible to point out or pursue any particular line of proceeding in the management and adjustment of it, which would not,

in some of its bearings, lead to those very principles which were so strongly reprobated. The common-council are indignant and alarmed, because parliament had assumed the power of issuing money from the royal exchequer; and yet they call upon and invite that very parliament to invest itself with still higher and more sacred authority, and by its simple address to clothe the heir apparent with all the regal power, civil, military, and financial.

In reality, the case was such that it presented only a choice of evils and difficulties: not being foreseen or provided for, either in the letter or spirit of the British constitution, and having no precedent in our history, the conduct of parliament was to be regulated by this sole consideration—To whom, by analogy, did the power of filling up the vacancy justly and constitutionally belong? and how could the vacancy be filled up in such a manner as to violate in the smallest degree the spirit of the constitution? The doctrine of lord Grenville seems, on both these heads, to be most congenial to common sense, to justice, and to the constitution. The parliament, both as representing the nation at large, and as the depositories, along with the sovereign, of government, undoubtedly possessed, and ought to possess, the power of acting while the sovereign was incapable of personal authority, and of delegating the temporal exercise of that authority till the sovereign was capable of resuming it.

The ninth resolution of the common-council purposed, that an humble address and petition be presented to the house of lords and commons, entreating them that his royal highness the prince of Wales,



Wales, in such bill or bills as should be brought in for supplying the melancholy incapacity of the sovereign, might be invested with all the prerogatives of the regal office, whether relating to the exercise of substantial power, or to the genuine lustre of the king of a free people.

The concluding resolution speaks in plain language the principles and wishes of the party which predominated in the common-council at that period, and which, as we have before remarked, coincides rather with the adherents of sir Francis Burdett than with the regular and old opposition. In this resolution, the common-council declare, that it is only by investing the regent with the full and unfettered prerogatives of royalty, and thus by restoring the sovereign to the constitution, that that constitution can be reinstated, the suspension and interruption of which, at all times dangerous and alarming, must now be deemed peculiarly perilous "by the overwhelming burdens of taxation; by the flagrant arrogance and notorious imbecility of the men who have still the presumption to call themselves the ministers of the crown; and by a war, the declared object of which, on the part of an inveterate enemy, is not merely the extinction of our commerce and best interests, but the total subversion of our rights, liberties, and independence as a nation."

A common hall was soon afterwards held, at which resolutions of a similar character and import were proposed and carried; the ministerial party, and especially the ministerial members for the city of London, being treated with little attention or respect. But though the city of London thus stepped forward

in the public declaration of their sentiments and wishes respecting the restrictions which ministry proposed to impose on the regent; and though the sense of the nation at large, either from the view in which they regarded the question as connected with the constitution and with the interests of the community, or from a suspicion of improper motives in ministry in endeavouring to impose the restrictions, or from a conviction that they were unnecessary, and would be inefficient towards the end on which they were justified, while they must in other respects be embarrassing and prejudicial, was in favour of an unlimited and unfettered regency; yet this sense was not expressed, except in a very few instances, by any public resolutions or addresses to parliament. Formerly the example of the metropolis gave rise to resolutions and addresses from almost every part of England: latterly, however, this example has produced little or no effect. It is perhaps not difficult to conjecture one probable cause for this change: in almost all the resolutions and proceedings of the city of London, within these few years, there has been a boldness of sentiment and opinion not very congenial to the feelings and principles of the nation at large; and it may perhaps be added, that the leading men in the common-council and common hall, though undoubtedly men of considerable talent, are not such as, at a distance from London, will command the same respect that is paid them in the metropolis itself. Whatever be the cause of this decline of the influence of the metropolis in giving the lead to the expression of public sentiment, it is a circumstance by no means to be regretted. There will

will be more steadiness as well as independence and purity of political opinion, when it is not merely contagious, but the result of separate and unbiassed reflection.

In the mean time, ministers proceeded in their measures for imposing the restrictions they meditated on the regent; and though, as a reference to the parliamentary debates will show, they were sometimes foiled, and in the upper house actually defeated on one or two subordinate points, yet they rallied, returned to the charge, and ultimately came off triumphant. Although charity and extreme candour may be disposed to believe ministers, in their repeated and solemn asseverations, that in imposing the restrictions they were actuated merely by a regard to the spirit of the constitution, and by no means by any hostility towards the prince, or by any wish or design to render themselves necessary to him; yet it is difficult to give them credit for purely disinterested motives in the unwilling and slow place with which they moved towards the final establishment of the power of the regent. It may indeed be urged, and has been urged, that the prospect of the king's recovery rendered them unwilling to proceed rapidly on this subject; but here, as in other parts of this question, there are two distinct and opposite views to be taken of the same point:—if the king should have recovered, it would undoubtedly have been much better that no regent had been appointed; and if therefore there was a great probability of his speedy recovery, ministers were amply justified in proceeding slowly and with unwilling steps: but as, on the other hand, the constitution and the interests of the crown

as well as of the people were suffering by every day's delay, the probability of the king's speedy and perfect recovery ought to have been great, in order to justify the slow proceedings of ministers.

Such are the leading events and proceedings on this most important part of our history, and such are the observations and reflections which we deem it our duty to make upon them. By the beginning of February, the regency bill was passed into a law, and the regent was invested with those powers which parliament had thought proper to grant him. It was justly remarked on this occasion, that the appointment of a regent under any restrictions was preferable to the state in which the country had been kept for upwards of three months; for during that period the government had actually been without a head; and that the first object of public desire ought to be the perfect recovery of the king himself; but that, if Providence should ordain this otherwise, the next wish ought to be the death of the restrictions, so that the constitution may regain its natural, just, and usual power, may right itself, and recover its accustomed and proper balance under the government of his son.

Before we quit this subject, it is proper to advert to the facts which were stated in the house of lords by earl Grey, respecting the royal malady in the years 1801 and 1804; and upon which facts he grounded certain resolutions, which, although his statements were not and could not be controverted, were nevertheless rejected. One of the king's maladies began about the 12th of February 1801, and lasted till the beginning of March; yet during this time, though the sovereign

was

was under the care and control of his physicians, councils were held, members were sworn, war was declared (by acts, if not regularly and officially,) against Sweden, and expeditions were sent out with as much activity as if the king were perfectly well, and competent to the full exercise of the royal authority and prerogatives. By the testimony of the bulletins, as well as by the evidence of the physicians, it was proved, that in the month of June of the same year his majesty suffered a relapse, yet all went on as usual; and the public could not possibly have divined that one branch of the British constitution was to all intents and purposes defunct. - During the royal malady in the year 1804 the case was still more flagrant, and the proceedings and conduct of ministers more unconstitutional, and daringly criminal. From the 10th of February to the 3d of April in that year, according to the decisive and unquestioned evidence of Dr. Heberden, his majesty was again disordered; yet during this period of mental malady a commission for giving the royal assent to fifteen bills was issued; and other acts which, by the constitution, required the personal exercise of the royal authority were performed. Upon the strength of these facts, earl Grey moved, as we noticed in our preceding volume, that the name of John lord Eldon should be struck out from the list of the queen's council. Our readers, by referring to the debates on this motion, as given in our present volume, will perceive the singular and unsatisfactory manner in which ministers treated the subject, and defended (if defence it can be called) their colleague. On this curious and highly interesting subject we

shall offer only one remark:—Had any one, previous to the statement of earl Grey, been told that any British minister had dared to act in the name of the king, when the king could not legally or constitutionally act for himself, and even to put his name to acts of parliament, or other acts of the executive power, at a time when his name would not be recognised in any court of law as the name of a person competent to the performance of the most trifling act,—would he not either have expressed his disbelief of the assertion in the strongest terms, or, if he had given it belief, would he not have pronounced the minister so conducting himself, as totally unfit for his situation, and guilty of one of the most daring and grossest breaches of the constitution?—Yet, when it was actually proved that all this had been done, there were men found bold enough to maintain that it was perfectly justifiable, and to shelter this violation of the constitution under the convenient and most accommodating plea of necessity.

The attention and expectations of the whole nation were fixed on the prince of Wales:—his long tried attachment to the principles and measures of Mr. Fox:—his public and solemn declaration that government ought to have for its sole object the good of the people, and that he should regard the regal trust when reposed in him, entirely subservient to this end; and the dislike against the present ministers which it was naturally imagined must have taken possession of his feelings on account of the restrictions with which they had clogged the regent's power, added to the abhorrence of their political principles and conduct, which his judgement

ment and habits of thinking must have produced; all these circumstances led the nation to anticipate a complete and immediate change of men and measures. But though little or no doubt on this point was entertained, yet there was some difficulty in conjecturing on what party the prince would call to form his ministry, and, of course, what exact line of political conduct he would pursue. The parties opposed to ministers, and who stood a chance of being acceptable to the prince, were those who might be justly deemed his personal as well as political friends, of whom the earl of Moira was considered the leader; the immediate followers of Mr. Fox, of whom lord Holland stood at the head:—between them and the Grenville party, earl Grey stood; formerly connected in the most decided and fundamental manner with the principles of Mr. Fox; but latterly understood, from the speech he had delivered on the state of the nation, and from the lukewarmness he had discovered in the cause of parliamentary reform, to have deviated in no slight degree from the genuine principles of Mr. Fox, and to be inclining rather to the party and principles of lord Grenville:—lastly, lord Grenville headed a formidable party, in respect to parliamentary influence, talents, and connexions; he carried with him many, who at the commencement of the French revolution had deserted Mr. Fox, but who had rejoined him at the time when, on the resignation of Mr. Addington, Mr. Pitt had failed or had neglected to bring Mr. Fox into power. On many accounts, however, the party of lord Grenville were not viewed as favourites of the prince of Wales; they had not the strong bond of con-

nexion with him, which all the other parties had, arising either from personal attachment, or from their having been the friends and colleagues of Mr. Fox. It was whispered, too, that the Grenville family were not favourably received by the prince, on account of what was represented as its grasping and ambitious nature and character; and when they were compared with earl Grey, as to their respective change of heading the prince's administration; the conduct of the latter, in reprobating the proceedings against the duke of York; while the Grenville party had been either active against him or silent during the discussions on that subject, was naturally supposed to be much more agreeable to the prince of Wales.

Soon after the regency bill was brought into parliament, it was generally understood that the prince was forming arrangements for a new ministry:—week after week, however, and month after month, passed away, and the arrangements were represented as still incomplete. The newspapers in favour of the supposed new administration maintained, that there was no difficulty or disagreement either respecting the principles on which it was to be formed, or respecting the particular offices which the leading men were respectively to fill: according to their representations, all was smooth, easy, progressive, and unanimous. Whereas, according to the representations of the other party, all was discord and jealousy: like the web of Penelope, what was completed one day was undone the next:—they maintained with a positiveness and consistency which bore the appearance of truth and good information, and which was strengthened instead

instead of weakened by the peevish and inconsistent denials of their opponents, that all parties connected with the prince were at variance with each other; that his personal friends regarded themselves as cut off in the negotiations and proposed arrangements from their due and proper share of influence and favour; that lord Holland, as the representative of Mr. Fox, thought himself justified in expecting that consideration which would have been granted to his uncle, had he been alive; and that he was disappointed in finding that earl Grey was rather disposed to go along with the wishes and pretensions of lord Grenville: but even between these two, it was asserted that difficulty and difference of opinion arose. The nation had viewed with so much dislike and jealousy lord Grenville holding the two incompatible situations of first lord of the treasury and auditor of the exchequer during the administration of Mr. Fox, that it was supposed earl Grey (and in this point he was said to be supported by the prince) made it an essential point in the plan of the proposed ministry, that lord Grenville should either give up the auditorship, or, if he preferred retaining it, that he should be content with a subordinate situation, and not again expect to be made first lord of the treasury.

Such were the assertions and conjectures that were thrown abroad with much confidence and plausibility on this subject: but it was easy to perceive that the ministry, though they gave some credit and lent their authority to the reports of disagreements among the prince's friends, were actually of opinion, that the anxiety and determination to get them out of power would

lull all jealousy, and cement the discordant materials, at least till the object desired by all was accomplished. Ministers therefore prepared for their own removal; and it was believed that in a day or two the existing ministry would be no more, while no person could tell who were to be their successors, further than they knew that they must be chosen out of some or all the different parties attached to the prince. The friends of these parties said that all was arranged, but that it was a proof of profound policy, as well as of the thorough and complete agreement among them, that the particulars of the arrangement were kept secret; while, on the other hand, the partisans of ministry, even at the time that they admitted that their friends were to be deprived of their places and power, continued to assert that the arrangements for a new ministry were incomplete, and that the delay had arisen from the continued and increasing jealousies among the different parties.

In our last volume we noticed the termination of this delay and uncertainty; a termination which gave great colour to the reports of differences and jealousies among the prince's friends; while on the other hand the letter of the regent to Mr. Perceval, announcing his intention of keeping him in power, did, by the motives which it boldly and unequivocally assigned for that determination, put it beyond a doubt that the prince's principles and feelings were still entirely with his political friends.

A considerable degree of ridicule was thrown on the opposition, because they had gone so far as to fill up the various departments of government before it was certain that their services would be required;

ed; but this ridicule appears not to have had any good or just foundation. Admitting what their adherents alleged was the real state of the case, that the prince came to his final determination to keep in his father's ministers in consequence of their advice, and that this advice they always meant to have given, provided the physicians declared that there was a prospect of the king's speedy recovery;—still, as it was uncertain what would be the report of the physicians, it was only prudent, as the period for the establishment of the regency was so near at hand, that the prince should be provided with an arranged and settled ministry, in case the king's amendment should be declared to be very distant and uncertain.

The determination of the prince was differently considered according to the principles and the hopes of different parties: many loudly commended his conduct as not only evincing filial regard to his afflicted father, but as highly proper in a political point of view. They argued that, as the king might soon recover, it would have been absurd and highly imprudent for the prince to have changed the measures which had received the sanction of his royal father, and which it was well known lay so near his heart; and that, if the same line of conduct was to be pursued, it was necessary that the same men should be continued in power. Others, again, maintained, that the prince, by retaining his father's ministry, lost a glorious opportunity, which even a very few months of power would have afforded, of correcting many abuses which had crept into administration, and especially of healing the wounds which had so long festered in the bosom of Ire-

land. But these sanguine and precipitate reasoners did not reflect that these wounds would have been re-opened with tenfold virulence and danger, if the king, on his recovery had (as he most probably would have done) rescinded all the acts of the prince on this subject. We may conclude, therefore, that as the power and authority of the prince a regent were delegated, were held for another, and were, at the time he assumed them, supposed to be merely temporary, he did perfectly right in acting as that other in whose place he stood would have acted; and that it was improper to infer, because as a restricted regent, having before him the prospect of the king's recovery, he followed the line of conduct which had been pursued before he came into power, that therefore he had deserted his avowed principles, or meant, when he acted unfettered and for himself, to throw off his old political friends. The same reasons which induced the prince to continue his father's ministers, ought most undoubtedly to have led him to behave to those ministers, in all their political connections with him, in the same manner as he would have behaved towards ministers of his own party and choice. In reality, as he professed to act merely for his father and sovereign, he should have given himself up to these ministers; and though his own personal feelings and sentiments would necessarily prevent him from behaving towards them with that frankness and confidence which he would have displayed towards his own party had they been in power, yet a regard to his father, to his own dignity, and to the principles and motives on which he had declared he kept them in their situations,

should have made him most religiously avoid behaving towards them with contempt or peevishness. Yet, if we may trust the representations of those who had access to know the truth, the prince often forgot his own dignity so far as to behave rudely to ministers. This was very improperly, meanly, and unwisely made matter of triumph by the opposition; while the ministerial adherents, not being able to deny the truth of the representations, contented themselves with anticipating the day (which they prophesied would soon arrive) when the prince's prejudices and animosity would give way to the perception that his father's ministers not only had the good of the country at heart, and took the most effectual means to secure it; but also that, in all they had done towards imposing restrictions upon him, they had been actuated by no personal motives, but solely by a regard to the constitution, and to the rights of their afflicted master. Such persons as neither gave the prince credit for uncommon steadiness of political principle, nor the ministers for such undoubted attachment to the good of the country, as would gain over a patriotic prince, still were disposed to believe, that from the very circumstance of ministers, from their official characters and situations, having such frequent opportunities and means of confidential intercourse with the regent, the coolness and dislike on his part would wear off, and give place to feelings of indifference, if not of partiality. These conjectures to all appearance have been verified:—by degrees, the prince admitted Mr. Perceval and his colleagues to longer conferences: the public were no longer told that the regent behaved towards them with

coolness, or refused to sanction their measures or attend to their recommendations; and long before the restrictions could expire, the public expectation and belief strongly and generally pointed to the continuance of the ministers in office, even after all hope of the king's recovery was abandoned, and the period when the prince could act completely and in all points as he pleased was arrived.

At first, however, the regent seemed disposed, by less equivocal and more manly proofs of his dislike of ministers than the opposition party delighted to record, to hold forth the prospect of a radical change in administration. We have already noticed, that the partisans of sir Francis Burdett dwelt with rapture on the prospect which was opened to the nation by the prince's coming into power, and reprobated in stronger terms than the regular opposition themselves, the restrictions under which he was laid. They eagerly laid hold of a public declaration which he had made, that all government was for the people; and they took an early opportunity, after the regency was established, of addressing the prince on various topics connected with their leading principles, and the sanguine hopes they now indulged of seeing those principles brought into full and regular action. For this purpose a meeting was held in the Palace Yard, Westminster, where that indefatigable advocate of parliamentary reform major Cartwright at great length dwelt on his favourite topic, and where an address to the prince, pointing out in strong terms the dangers to which the nation was exposed from neglecting this measure, was brought forward and carried. This address appeared in the Gazette.

Such

Such a very unusual if not an unprecedented circumstance, which must have arisen from the express and positive command of the regent himself, gave fresh and additional vigour to the hopes of the friends of parliamentary reform. All the failings of the prince were forgotten: he was hailed as the patriotic prince so long beheld in the visionary raptures of the reformists. But a very short period elapsed before this party were compelled to be silent, as they witnessed acts of the regent, which, but for the shame of publicly declaring that their hopes were ill-founded, they would have reprobated in the strongest terms.

Even, however, amidst the decline of their expectations, the regent occasionally showed himself the enemy of corruption; and in no one instance more strongly and pointedly than in a rebuke he gave to Mr. Perceval. A place of considerable emolument, and of great trust and importance, became vacant: for this place, a duke just come of age solicited the premier in behalf of a near relation. Mr. Perceval accordingly proposed the appointment to the regent. The prince objected, that the candidate was already in possession of considerable public emolument, and expressed a wish to know upon what peculiar merits or services Mr. Perceval rested his claims to additional recompense. The premier urged his relationship to a noble duke who possessed great parliamentary influence, and who, it could not be expected, would exert that influence in favour of ministers, unless they complied with his wishes by the appointment of his relation to the desired situation. Upon this avowal, the prince is said to have expressed in strong

terms his indignation, and to have declared unequivocally, that he trusted Mr. Perceval would never again ground the claims of any man, to any place of confidence and responsibility, upon such kind of merits; for that he would always look to the public interest in such appointments, and not to the interest or power of the ministry. This declaration, so manly and patriotic, revived the almost exhausted and worn out hopes and expectations of the reformists; but they were doomed to experience fresh mortification and disappointment.

The regent had not possessed his power many weeks, before it was whispered about, that he meant to reinstate the duke in his situation as commander-in-chief. While there were many considerations and circumstances which rendered this highly probable, there were others which surrounded it with no small degree of doubt. On the one hand, it was well known that the prince, through the whole of the proceedings against the duke of York, firmly adhered to the belief of his innocence; or at least was of opinion that his guilt had been greatly exaggerated; that his accusers were actuated by the worst of motives, and had recourse to the most foul and unjustifiable means to accomplish their purpose; and that the punishment which the duke had suffered, by being obliged to relinquish his situation, was much too severe for his indiscretion. Possessed of these sentiments and feelings on this topic, it was therefore to be expected, that the regent would exert himself to reinstate his brother; and this measure might have been anticipated without any apprehension for the consistency and purity of the prince's political principles. But on the



other hand it was contended, that however strong might be the fraternal affection which the prince bore towards his brother, and however deep and sincere his conviction that he had been unjustly and harshly treated; yet that he would have hesitated to take a step which the remembrance of the public sentiments and feelings at the time the investigation into the conduct was on foot, must have convinced him would be highly unpopular, if not absolutely dangerous.

The prince, however, and his advisers in this business had weighed the matter well, and formed a more true and just estimate of the steadiness and consistency of popular feeling than the opponents of the duke. There were, indeed, several circumstances which operated decidedly in favour of the duke of York, and which had cooled in no slight degree the public indignation against him, and their predilection for his accuser. The latter had done all that his enemies could have wished, and more than without his assistance they could have effected, to destroy his own popularity; and in proportion as his own popularity and credit were destroyed, the crimes of the duke of York were by some forgotten, and by others disbelieved, or thought to have met with more than adequate punishment. When, therefore, it was officially announced in the Gazette, that the prince regent, in the name and on the behalf of his majesty, had been pleased to appoint the duke of York commander-in-chief, scarcely a voice was raised up against it. Lord Milton, indeed, in the house of commons, in the first warmth of his surprise and indignation, gave notice of a motion on the subject: but he appears afterwards to have cool-

ed; and when he did make his motion, it was supported by very few; while many who had before inveighed against the duke of York in the most decided and violent language, read their recantation, and pronounced their belief in his innocence.

It was amusing and instructive to observe the conduct of the opposition and reformists on this occasion. The former, knowing that the act of the duke's reinstatement came from the prince himself, and that in no light, and under no pretence, could it be considered or represented as proceeding from ministers, either were silent, or attacked the measure in very feeble and measured censure. The reformists, having openly and repeatedly declared their belief that the prince was an enemy to corruption, and that he would always respect the wishes of the people, had not courage or principle sufficient to read their recantation by blaming him for the reinstatement of his royal brother. Besides, they had panegyricized the prince, there is reason to believe, more from the hope of enticing him over by praise to their views and principles, than from the conviction or proof that he was actually already so inclined; and they apprehended that, if they withdrew their praise, they should sacrifice all probability of accomplishing their object. The only men who acted a consistent and undisguised part on this occasion were the ministers:—they had always declared their opinion, that the duke of York had been unjustly accused, and that his reputation was sacrificed to the clamours and prejudices of the people, raised by the most foul and base means. Such men, therefore, were equally led by duty and inclination to second and forward the prince's wishes.

wishes and plan for the reinstatement of the duke; and they accordingly, in parliament, stood boldly forward and defended the measure. On this occasion, and on several others which we shall afterwards notice, ministers appeared, even to those who disapproved of their general principles and measures, much more consistent and trust-worthy than their opponents. They gained on the good opinion of the public; while the other party sunk in the esteem and confidence, and raised in the breasts of many a feeling very nearly allied to contempt.

The nation at large viewed the reinstatement of the duke of York with great indifference, so far as it regarded *him*; but with something like dissatisfaction and disappointment, in so far as it indicated the principles of the regent. It was pretty generally believed, that the duke had received such a lesson as would effectually keep him within bounds for the remainder of his life; and the British public, who, when not inflamed or led astray by passion and prejudice, always view with a candid eye the failings of their princes, having forgotten or disbelieved his crimes, were not sorry that his punishment should cease. But though they were disposed to make all due allowance for fraternal feeling and partiality, yet they would have been better pleased, had the regent not been so forward to reinstate his brother. This feeling, however, soon wore away; and had the prince's conduct in all other respects indicated a determined enmity to corruption and favouritism, his popularity would not have essentially or permanently suffered for his interference in behalf of the duke of York.

While the prince has been regent, many measures and appointments have taken place, completely at variance with his former political principles and conduct; but as he was considered as acting in these merely in the name and on the behalf of his majesty, no accusation or suspicion of change in his opinions could justly or fairly be brought forward. It was indeed asserted by the opposition, that in some particular cases he ought to have acted from himself, or at least have prevented his ministers from taking such measures, or making such appointments, as were decidedly hostile to his own views; and they confidently foretold, that if he ever did interfere, it would be for the purpose of rewarding public merit, and of displaying to the nation unequivocal proofs that he was still the enemy of corruption, and still adhered to his opinion, that government was only for the people. These advocates for the prince's consistency were not abashed, silenced, or alarmed at the reinstatement of the duke of York; they acknowledged it to be the act of the regent himself; but they traced it to fraternal feelings or prejudices, not to political or public motives; and on this point, as has already been remarked, the nation were disposed to be as candid and liberal as the prince's friends. But another event took place, which staggered the most sanguine admirers of the regent; and which, by the opposition, was deemed so fatal to their high hopes of him, so opposite to their predictions, that they refused, against all evidence, to trace it to him.

By the death of gen. Fox, the office of paymaster of the widows' pensions became vacant. He who holds this office has nothing to per-

form: he has only to receive his own emolument: the pension of the widows is paid at the office of the secretary at war, by persons appointed for that express purpose. But this is not the sole nor the chief objection to this office; the emoluments of it are derived from a percentage on the sum of money annually voted by parliament for the pensions of widows; for the pensions of the widows of those men whose lives have been offered up for the service of their country. If justice, if honour, if common feeling and humanity, call for the redress of any abuse, it must be for the redress of such an abuse as this, than which no greater disgrace can stain the government and nation which tolerates it. Viewed simply in a financial point of view, the situation ought to be abolished; and accordingly the committee of finance had strongly recommended its total and immediate abolition upon the death or resignation of general Fox. Yet, notwithstanding this recommendation—notwithstanding whoever held the office must have received the emoluments, for which he moved not a single finger for a single day, from the scanty pittance earned by a whole life of danger and fatigue; scarcely was general Fox cold, when the place was given away to colonel Macmahon, to the personal friend and favourite of the prince. This needs no comment; it admits of no apology or excuse; and the attempts of the partisans of opposition to remove the disgrace and obloquy of the appointment from the regent, and to fix it on the ministers; and their assertions that the latter forced it on their royal master, were calculated to create disgust, contempt, and ridicule. The prince certainly

was not aware of the nature of the situation he bestowed on his favourite; he could not have known that in benefiting him he was injuring thousands; otherwise, the goodness of his heart, if not the purity of his principles, would have discovered some other method of serving his friend.

We have thus carried on the history of the regency, from the introduction of the bill for that purpose, till the prince was invested with the powers which ministers thought fit to allow him to possess; and we have also endeavoured to lay before our readers, not only the expectations which were formed of the prince by the different parties in parliament and the nation, but proofs sufficiently explicit and ample, how far those expectations have hitherto been fulfilled. In justice to the prince, however, it should be added, that he has suffered more by the injudicious and extravagant praises of his friends, than by any want of merit of his own. When we take a comprehensive and impartial survey of the manner in which he has passed the greater part of his life; of the men with whom he has principally associated; of the amusements and pleasures to which he has been devoted; and of the total seclusion from business of all kinds in which he has been kept, we shall find ample excuse for indolence and indecision of character; and we shall be more apt and disposed to lament and apologize for, than to censure, any fickleness or unsteadiness of political principle or conduct which may be observed in his public life. It should also be remarked, that if he has actually gone over and given himself up to the present ministers, his former friends

friends are not a little to be blamed:—they certainly have lost, in a great degree, the confidence and good will of the nation; and it was too much to expect that the prince should still adhere to them, after the nation had seen reason to leave them. It is not uncandid or unfounded to maintain that the people prefer the men who would assist the Spaniards; who would not crouch to America; who would uphold instead of shaking the national credit, to the men who call for the evacuation of the peninsula; who are constantly repeating, in the very face of former predictions proved to be false and groundless, that we cannot stand there against the power of Bonaparte; who, in the adjustment of our disputes with America, would compromise our glory and honour for the sake of reviving our commerce; and who at the same time

are endeavouring to strike a fatal blow at that commerce, through that paper credit, which is an evil, but, it is to be feared, an unavoidable evil. In all these points, the voice of the nation is for the present ministers, compared with the opposition; and it should not therefore be matter of reproach to the prince, that he has gone along with the nation. But there is another most vital point, wherein the opposition possess and deserve more credit and confidence with the nation than the ministry; the preservation and tranquillity of Ireland; and here it behoves the prince to remember his former friends, and above all to place before his constant and profound contemplation the principles and conduct of Mr. Fox. In no respect has he so much in his power; nor can he so decidedly prove that the good of the people is uppermost in his heart.

## CHAPTER VIII.

*Proposed Division of the miscellaneous Events and Transactions of our domestic History into those which relate to civil and religious Liberty, and those which relate to the Commerce and Finances of the Country—Short Sketch of each—Review of the Proceedings in the Court of King's Bench, in the Case between Sir Francis Biddell and the Speaker—Opinions and Division of the Judges—The Case of Sir Francis and the Serjeant at Arms—Indifference of the Public with respect to this Cause noted—and with respect to Parliamentary Reform—Causes of this Indifference—Remarks on the Motions in the House of Lords and House of Commons on Ex Officio Informations—State of the Law of Libel in this Country—Vague and loose Objections to the Mode of proceeding by Information—The Introduction of a Grand Jury proposed in Cases of Libel—Special Juries too much resorted to—Different Doctrines held by the Attorney General with respect to the comparative Guilt of the Author and Publisher—Trial of the Editor of the Examiner—Trial of Mr. White—Remarks on his Case—On the Hardship of confining a Man in a distant Gaol—Motion in the House of Commons respecting the State of the Press in India.*

**T**HE miscellaneous events and transactions connected with the domestic history of Great Bri-

tain, during the currency of the year 1811, may be very properly and luminously arranged under two di-

stinct and leading heads. Under the first head will naturally fall all those events and transactions which illustrate, relate to, or affect the state of civil, political and religious liberty in this kingdom. Under the second grand division may be placed all those events and transactions that have reference to the commerce of Great Britain. Consistently with this division and arrangement, the first head will comprehend the proceedings in the court of king's bench relative to the arrest and imprisonment of sir Francis Burdett, by the order of the house of commons: the proceedings that took place in different parts of the kingdom on the subject of parliamentary reform: the attempts that were made in the house of lords and house of commons to check, or at least to investigate, the practice so commonly pursued by the attorney-general of proceeding, in cases of libel, by *ex-officio* informations. Closely connected with this branch may be considered the most remarkable trials for libel during the year; and, to sum up and close this part of the first great division, the discussion in parliament relative to the state of the freedom of the press in India will require notice. The bill which was introduced into the house of lords by lord Sidmouth deserves and demands considerable attention and investigation, as it created great alarm and apprehension among all parties and denominations of protestant dissenters, by most of whom it was considered, whether justly or not, we shall afterwards inquire, as the insidious beginning of a system of intolerance and persecution.— Under this head, also, we shall throw the consideration of the question respecting the assassination of tyrants, as it involves several

points that may justly be regarded as connected with the liberty of mankind.

The second great division of miscellaneous transactions and events, connected with the domestic history of Great Britain, will comprise points not less interesting or important, though not so numerous. The circumstances that gave rise to the appointment of a committee of the house of commons, to inquire into the embarrassed and low state of commercial credit; and the report of that committee, first in point of time, at least, call for our notice and record. The detail which we gave in our last volume, of the discussion on the bullion question, will be followed out in this volume by the rise in the nominal value of the dollar; a measure imperiously called for, but at the same time a glaring and decisive proof, that those who went along with the bullion committee, in their general views, reasonings and conclusions, were undoubtedly right. The notice of lord King to his tenants, considered in several points of view, as legal, as prudent, as just, as patriotic; and the consequent bill of lord Stanhope, at first shunned or rejected as unnecessary by ministers, and afterwards adopted and carried triumphantly through both houses of parliament, will form most prominent and important branches of this head. Of inferior moment and interest, though still very worthy of investigation, are the questions regarding the granting of licenses, viewed as the means of increasing or supporting the influence of ministers; and as injuring our own trade, and benefiting the trade of the enemy; and regarding the patriotism and policy of abstaining from the consumption of all foreign articles

ticles which can be purchased only by means of British gold.

Several subordinate points will fall in our way in these discussions, which will serve to fill up the distance that may appear to be between several of them, and to make the mind glide and pass more readily, easily and comfortably from one to another.

It may at first sight appear to some of our readers, that in these discussions we have totally passed over and lost sight of Ireland; a country in which there are constantly passing events and transactions, from which, to those who contemplate them seriously, dispassionately and comprehensively, and understand them minutely and thoroughly, much insight may be gained, not only of human nature, but also of the radical difference of good and bad government, and of the very opposite results which they necessarily produce. But Ireland, at all times a subject of the most serious and deep reflection to the real friend of Great Britain, has during the year 1811 been the scene of such uncommonly interesting events, which are only beginning to display at a distance, and with an imperfect and obscure light, the consequences to which they must give birth, that her history must not be suffered to occupy a subordinate station; it must be treated of separately, and with that fullness and minuteness which its importance requires.

It is scarcely necessary to recapitulate, at any length, the cause which occupied the attention of the court of king's bench between sir Francis Burdett and the speaker. Sir Francis, by bringing forward this cause, wished to determine two great and most important points: in the first place, whether or not

any court of law deemed itself competent to interfere with the proceedings of the house of commons, where those proceedings went so far as to commit a person to custody, without regular investigation and trial, solely upon their own authority, they being the accusers and the judge: in the second place, on the supposition that a court of law was found, which judged itself authorised, by the law of the land, to examine into the justice of such proceedings of the house of commons,—whether that court would, in the present case, defend or reprobate them. But it must be apparent, on the slightest reflection, that sir Francis Burdett was not nearly so anxious on the second as on the first point: for, provided a court of law declared itself competent to examine into the proceedings of parliament, when those proceedings trench on the liberty of the subject so far as to put him in confinement, in that case a place of refuge and protection against the power of parliament so exercised was thrown open; and, consequently, it was not to be supposed that that power would be wantonly or improperly brought into use. If sir Francis could have established the point, that the parliament, when in the act of punishing, was not supreme; that either an appeal lay from them, or that the punishment they ordered could be remitted by a court of law; then he would in fact have destroyed the privilege which parliament claimed, and by the exercise of which in his own case he thought himself aggrieved and unjustly punished.

This, then, was the case to be tried in the court of king's bench; the judges of which, after hearing the counsel employed by sir Francis Burdett, and those whom the house

of commons had appointed to defend the speaker, were to determine, whether they were competent to interfere with what that house had thought proper to do towards one of their own members.

It is impossible, nor, if it were possible, would it be interesting or very relevant in our volume, to give even an abstract of the very long and very learned speeches that were made on this most momentous occasion. Had it been proper to discuss the point by a reference to the spirit and principles of the British constitution, it is probable the discussion would have been not only much shorter, but much more interesting and important: but, according to the forms and practice of law, this case was to be determined by precedent and authority,—not by principle, and a reference to the abstract doctrines of justice. When it is considered that these precedents were raked out from every part of our history, it is evident that they must have been extremely numerous; and when it is moreover considered that our history, even within these last two hundred years, although more favorable to the liberty of mankind than the history of any other country during the same period, is yet spotted with many acts of tyranny and oppression, all of which, in the eye of law, which does not separate the good from the bad, are precedents equally apposite and binding; we shall not be surprised if the grounds on which the counsel for the privileges of the house of commons rested his cause and his argument, were at least as numerous, and as much to the point, as those on which the counsel for sir Francis Burdett built his cause and argument. It is of much more

consequence to record the opinion of the judges on this question; and we shall therefore give them at full length.

Lord Ellenborough spoke to the following purport:—

“Mr. Holroyd, it is not necessary to trouble you further: after the great industry which has been already shown, and the length of time which has elapsed since the first agitation of this case, there cannot be much more required to enable the court to come to a judgement. Speaking for myself, not a shadow of doubt rests upon my mind as to the great features of the question. (His lordship here read the state of the case, as had been given.) The material points were three. 1st. Whether the house had authority to commit for breach of privilege: 2d. Whether the warrant disclosed sufficient ground for commitment: and 3d. Whether the execution of the warrant was legal. On the first of these points, the learning of the case, from sir Orlando Bridgman and Thorpe's case was but partially applicable. The privilege of parliament seemed not to be the privilege of the house of lords or commons, but the result of the inherent and original privileges of the individual members. The division of the general assemblage of the council of the nation into houses, one of which contained the knights, burgesses and citizens, was recognised first by the 49th of Henry III. From the nature of their situation, the members must have had inherent privileges; they must have been able to protect themselves; and poor and miserable must be the situation of a deliberative body like the house of commons, if it could not protect its own proceedings from insult and interruption.

interruption. He would not advert to the topics closely connected with the subject, nor to the mode in which they had been discussed in other places. It was impossible for one with ears not to hear, or with eyes not to see, the views in which those subjects had been treated abroad; and it reflected great credit on those gentlemen who had argued the question before the court, that they had kept clear of those topics. It had been argued, that as the house of commons was only known since the 49th of Henry III. within legal memory, and as its privileges had not been established since, it had not the foot of prescription or statute to stand on. It had prescription. The allowance of certain privileges in the first division of the legislature, was an evidence that they were considered as inherent in the members. But the house had even a vindictive privilege, as was apparent from Evelyn's case. In the case of Arthur Holt, one of its own members, the house committed him for a libel on its dignity; and not merely committed him for six months, and fined him, but even, by what appeared a stretch of power, committed him until he should publicly retract the principles of his libel. He (lord E.) came with more satisfaction to later legislative recognitions of a right in parliament to imprison for contempt. In 1 James II. chap. 13. in an act relative to arrests, it was specially provided, that nothing therein contained was to prejudice the privilege of parliament in that matter. He would come to a later instance:—If ever there was a man keen and jealous in his view of encroachments upon the law—if ever there was a man sturdy and immoveable

when he thought the liberty of the subject concerned—it was chief justice Holt. In Ashley's case, he stood out alone, and manfully, against the opinion of all the judges: but in the case of the queen and Batty, where the power of commitment was introduced, he admitted it without hesitation. In the earl of Shaftesbury's case, the court of king's bench allowed the power of commitment, by allowing the sufficiency of a warrant in the general terms in which that instrument was conceived. It was not possible to doubt that the house of commons had a right to commit in certain cases; they did not insist on a right in all. There was no instance in all the cases where a habeas corpus was refused, of the judges turning over the party to his remedy by action, and refusing the discharge on that ground. They must have discussed the point of privilege; they could not value the intermediate portion of a man's liberty so lightly as to leave him to the remedy of an action, if the power which committed him was wandering beyond its privileges. There could be no greater libel on the English law, than to say it was capable of gliding over such a question as that of privilege, by referring the aggrieved person to an action. But there was no instance of the kind. At the time of those early disputes, a time of great inflammation, when many persons would be disposed to make the experiment of an action for the sake of the damages, no action had been brought. Where could be the injury of allowing the privilege of commitment? Was the house to wait the more tardy proceedings of the courts, in matters which might require a much speedier decision? Would not the house lose a large



a large share of its national and public respect, if it were to come down to a grand jury to find a bill, or if it had not within itself a power of protection? It had been said, that the warrant was not sufficient, as not containing an averment of the facts; but the resolution of the house was a judgement. Was a judgement of the king's bench not to be a sufficient averment? and was the judgement of the house to be sunk below that of the court? The warrant might have been more detailed; and if it had been drawn up by any of those gentlemen who had now argued before the court, it might have been drawn up, in the vulgar phrase, in a more workmanlike manner; but it was distinct, and sufficient for its purpose. As to the last point, of breaking open the door, it was stated, that the serjeant declared audibly the purpose of his coming, and the authority on which he came. In the ordinary case of executing a civil process, it was not lawful to break open a door. The law valued the security and comfort of the subject in his house, which was so far his castle, more than the satisfaction of the civil process. But in the case of a felon, or where the king had an interest, the law allowed the breaking open. It was only necessary that the public benefit should be concerned, and private security must be postponed to it. From *Semayne's case*, and *Briggs's case*, it was not allowed to break open the outer door for a civil process; but in the queen and Batty it was fully recognised that the door might be broken for contempt of a court of justice; how much more, then, for contempt of that higher court of parliament! On the consideration of all the points, it appeared

to him (lord Ellenborough) that the justification was satisfactory.

1st. The right to commit was authorised by reason and by law.

2d. The warrant followed the order, and the order was conformable to the power. 3d. The outer door might be broken open for contempt of an inferior court, and it certainly might be so where public benefit was concerned.

Mr. justice Grose declared himself entirely of the same opinion with lord Ellenborough.

[Mr. justice Le Blanc was absent on account of ill health.]

Mr. justice Bailey.—The house of commons is a court of judicature, and must therefore have the power of commitment. It has been admitted, that an action will not lie against the members, and therefore not against the speaker, who is only a member through whom they speak. The officer who acts is not blameable for the execution of any order within the jurisdiction of his court. If an action in this case could be supported, it might be carried through every inferior jurisdiction of the country. I agree entirely in opinion with the chief justice.

After a decision thus solemnly pronounced, there remained only one point, which a regard to what he conceived to be the rights of Englishmen induced sir Francis Burdett to bring into the courts of law. The judges had refused to interfere with respect to the legality of the arrest or imprisonment:—but even admitting that the speaker was authorised to issue his warrant for the seizure of sir Francis Burdett, and the serjeant at arms was equally authorised to act upon that warrant and to take him into custody; yet it remained for discussion and legal decision, whether, in the actual

actual execution of the warrant, measures not sanctioned or permitted by law had not been resorted to. Although the court of king's bench had declared that the privileges of the house of commons were not to be defined or questioned by them, and that whoever acted in pursuance of the orders of the house was without their jurisdiction, yet in the case of the person, who had the execution of those orders, taking any step not absolutely necessary to enable him to perform his duty and comply with the commands of the house, the cause might certainly be brought before them. Sir Francis had barricaded his outer door against the serjeant at arms:—the latter, finding no other means of access, had broken open the door, and had moreover entered the house with an armed force, with whose assistance and protection he had also conveyed his prisoner to the Tower. Sir Francis was desirous of trying whether the serjeant at arms, in the execution of the warrant of the speaker, was justified in breaking open the door of his house, and whether he did not employ a greater force than circumstances rendered necessary.

For this purpose he brought an action against Mr. Colman, the serjeant at arms, which was tried in the court of king's bench on the 19th of June. It was a trial at bar, before the whole court, and the jury were special.—Although this cause was tried by a jury, there was little probability that the issue would be favourable to sir Francis Burdett; for, whatever may be said or thought on the grand and leading question, respecting the privileges of the house of commons, yet it must appear reasonable and just to every candid and calm mind,

that allowing the good of the country required that the house should possess the privileges disputed, and should exercise them in the way they did, in that particular case; allowing all this,—and this had been actually allowed, or rather decided, by the former proceedings in the court of king's bench,—it would have been foolish in the extreme to have deemed or declared illegal the means necessary to carry into effect what the house, acting on their privileges, had ordered to be done. The house had a right (we now suppose this right to be put beyond a doubt) to arrest and imprison sir Francis Burdett:—this right implies a right to use the means necessary for his arrest, and of course it implies the right to break open his door, if he could not otherwise be arrested. To contend that the house of commons have a right to arrest a person acting as sir Francis had done, and at the same time to assert, that it was illegal in their officer to break open the door, when without it the right of the house could not be acted upon, is to maintain two opinions so opposite and contradictory as to destroy each other. It is little to the purpose to argue, that a creditor has a right to arrest his debtor, and yet has no right to force open the door of his house: the cases are not similar or parallel. The right of the house rests, or is supposed to rest, on its subserviency and necessary connexion with the good of the country; the right of the creditor, on his own personal interest and property: in the one case, the civil liberty of the individual is an inferior, in the other case it is a superior consideration, inasmuch as the good of the whole is paramount to the good of an individual; whereas the good of an individual,

dividual, so far as it consists in the protection of his house, is superior to the mere recovery of property. Such were the grounds urged by the attorney-general, and on which lord Ellenborough deduced his opinion that the action of sir Francis Burdett against the serjeant at arms would not lie: and the jury being satisfied with the evidence adduced to prove that only necessary force was employed in the execution of the warrant, found a verdict for the defendant.

Thus terminated a cause, certainly the most important and momentous which for many years had come before an English court of law. After having delivered our opinion on the different parts of it, so much in detail, both in our former and in the present volume, it is unnecessary to offer any further remarks. There is, however, one reflection that forces itself on the mind: to have viewed, or even to have read of, the tumultuous and active enthusiasm, not merely of the people of the metropolis, but of the whole empire, in the cause of sir Francis Burdett, at the time when he was seized and imprisoned, during his continuance in the Tower and on his liberation,—would not the conviction have arisen and impressed itself deeply on the mind, that the interest of the people in the fate of sir Francis was not only great, but permanent? Who would have thought, even after the many instances and proofs which the history of every country affords of the transient nature of popular feeling and opinion, that, in a very few months after this extraordinary display of enthusiasm and profusion of attachment to the cause of sir Francis, the trial between him and the speaker and serjeant at arms should have passed over like any

common event; and that the decision, first of the judges, and afterwards of the jury in the court of king's bench, which sanctioned what the house of commons had done, and what the people of this country had declared to be so hostile to their liberties, should not have occupied the public attention even for a single day, or to the exclusion of the most trifling and transient topic of discourse?

In another respect, and on another point, the popular feeling seemed to languish and grow torpid this year:—we allude to a parliamentary reform. There was, indeed, a meeting in Palace Yard, Westminster, to which we have already alluded; and one or two county meetings: and in the house of commons, as will be seen by a reference to our account of their proceedings, a motion on the subject was made. But this was little, compared with what former years had witnessed; and the little that was done, was attended with much less fervour than usual. It is at all times extremely difficult to trace the causes which produce a change, or even the appearance of a change, in public feeling and conduct; they are so minute often, often so complicated, and mixed up of circumstances which to a superficial observer would seem incompatible and incongruous. We may however hint at those which appear to have been the most open and operative; as we shall thus lay before our readers the history of the public mind, the most useful and important portion of history. In the first place, then, the mass of the people of this, as of all other countries, are not endowed with perseverance: if a point can be carried by assault, by a simultaneous attack, their cause will prosper; but delay dampens their enthusiasm;

enthusiasm; they grow weary and dispirited, and give up the contest, if time and continued efforts are necessary. This is a general cause of the failure of what the populace aim at: and if an object is popular, as parliamentary reform is said to have been, it must be the cause of the populace, and the populace in all countries are the same,—such as we have described them. In the next place, there are peculiar circumstances which operated along with the national character of the people, to make them relax their zeal and endeavours for parliamentary reform. It may, at a superficial glance, be deemed paradoxical to reckon, among the principal and most powerful of these circumstances, the distress from want of trade, and excessive taxation, under which the people groaned. It may be thought, that as parliamentary reform was held out as a *panacea*; as a sovereign, undoubted and immediate remedy for these evils; whenever these evils existed in their greatest force, the zeal and desire of the people for parliamentary reform would be most alive and active. But a little reflection will open up the fallacy of this mode of reasoning: in the first place, the spirits are broken by these evils, and the thoughts are led rather to the removal of them, where it is possible, by those modes, which common sense and experience dictate, than by means not only beyond their reach, but which unless in the hour of enthusiasm and popular eloquence, they cannot exactly perceive to be connected with their misfortunes. Where misfortune presses very heavily, it will drive the people to attempt obtaining by force what they think will remove it: but at that time they will never think of any but direct means of violence: the overthrow of every

thing, not reform, is the object of a people when goaded by misfortune; when their misfortunes are less heavy and poignant, they merely cool their enthusiasm, and turn their thoughts from the idea of benefiting their country by a reform of parliament, to the idea of relieving themselves by methods more within their power. Such appear to be some of the causes which are gradually weakening the popular attachment to parliamentary reform: there are undoubtedly others, which operate either upon the whole mass of the people, or upon particular classes and descriptions of them. Certain it is, that the year 1811 displayed less enthusiasm on this subject than most preceding years: indeed, we apprehend that if this enthusiasm were traced for some years back, it would be found to have been silently and gradually contracting itself, and retiring from the distant parts of the country, till at last it is now almost entirely confined to the metropolis.

One of the most interesting debates which occurred in parliament took place in the house of lords upon lord Holland's motion for an account of the number of *ex-officio* informations filed by the present attorney-general sir Vicary Gibbs. The motion was opposed by lord Ellenborough, in a speech certainly remarkable for its warmth and vehemence, and its attack on lord Holland, whatever may be said of it in respect to argument or candour. The motion was negatived by a large majority. A similar motion was made, in the house of commons, by lord Folkestone: this was opposed by ministry, and among others by sir Vicary Gibbs himself.

There were however some facts brought to light, by the discussion

of this question in both houses of parliament, which deserve to be recorded. It was asserted, and not contradicted but even admitted by the attorney-general, that he had, in a time of profound internal peace and tranquillity, filed no fewer than forty-two official informations against seventy persons in three years; whereas in the thirty years preceding the year 1791 only seventy persons had been prosecuted altogether; that on a general average, he had filed in the proportion of seven to one more than his immediate predecessors; and (what is of more consequence still) he had prosecuted to judgement, either of acquittal or conviction, not more than seventeen of the forty-two official informations which he had filed.

There is no part of the law of England more unsatisfactory and ungrateful to a real lover of his country than the law of libel: setting aside for the present all consideration of the mode in which actions are carried on for libel by the public prosecutor, the vagueness and uncertainty of the law itself are a glaring and great evil. What is a libel, according to the law of England? A jury are impanelled to try a man prosecuted by the attorney-general for a libel: they are sworn to try the cause truly and honestly: but, unless they know the exact nature of the offence, how is it possible that they should give an honest verdict? If the law declared that the falsity of the statements in the publication complained of constituted it libellous, then the business and duty of the jury would be easy and pleasant: or even if the law, disregarding the truth or falsity of the statements in the publication, looked only to the motives with which they were made; in this case, though it would be more dif-

ficult for an honest jury to decide, yet, as they knew what it was necessary that the evidence adduced should prove, before the accused could in their eyes be deemed legally guilty, they would have a guide to direct them. But as neither the truth nor falsity of the statements complained of is to be looked to, and as the motives of the accused are not necessarily brought into evidence, in cases of alleged libel; the jury, perplexed and at a loss, too often give up their opinion to the judge: and thus Mr. Fox's celebrated and well-intended bill becomes of no avail. We shall presently have a glaring and unequivocal proof of the absurd and prejudicial consequences which result from the unsettled state in which the law of libel is permitted to remain, in the case of the trials of the editors of two newspapers for the same publication, one of whom was declared innocent and the other guilty.

But as if this vague and uncertain state of the law of libel, by which so much of the duty and business of the jury is so often left to the judge, were not sufficiently discouraging and injurious to the cause of liberty and a free press, and consequently to the rights and well-being of Englishmen; the mode in which prosecutions for libel are commenced and conducted by the attorney-general is equally hostile to the spirit of the British constitution.

It must be interesting and instructive to look back into the history of England, in order that we may trace out the period when the present mode of proceeding against those accused of libel first began to be practised: if we shall find that it took its rise in "evil times," in times of which Englishmen are ashamed, when their history is not

to be proudly distinguished, as it now is, from the histories of other nations, by the liberty of the subject, and a strict and conscientious regard, on the part of those in whom power is lodged, to the ends and purposes of justice and freedom: if its origin is to be traced to a period of despotism and public profligacy,—assuredly, the mode of prosecution, even independently of its own particular merits or demerits, ought to be regarded with suspicion and distrust.

This investigation will lead us back to the period of the house of Stuart: a family certainly not distinguished for its attachment to liberty. Practices similar to those now complained of, though not exactly the same, then were in great vogue; and as men were not accustomed, or did not dare, at that time, to question what was established, with so much freedom as they now do; these practices escaped without investigation or without censure. There is, however, one most material difference between all the infringements on liberty, which were carried into execution at the time we have alluded to, and those which threaten it at the present period. Then every thing was done openly and with violence: now the attempt is wrapt up from the notice of a superficial observer, in the forms and technicalities of the law: then, what was aimed at, was openly declared and justified; now, even when an attorney-general is doing his utmost to root out every thing he is pleased to deem libellous, he holds himself out as a friend to the freedom of the press, and disclaims all intention or wish to curb or punish free discussion.

Even in those evil times there were men, from whom such things  
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would not have been looked for, who stood forward for the liberty of the subject, and the rights of the jury, in cases of libel. Nearly thirty years before the celebrated trial of the seven bishops, Hobbes, whose name and attachment to despotism are regarded almost as synonymous, declared in his *Leviathan*, that “in the ordinary trials of right, twelve men of the common people are the judges, and give sentence, not only of the fact, but of the right; and pronounce simply for the complainant or the defendant; that is to say, are judges not only of the fact but of the right; and in a question of crime, not only determine, whether done or not done; but also whether it be *murder, homicide, felony, assault*, and the like, which are determinations of law: but because they are not supposed to know the law of themselves, there is one that hath authority to inform them of it in the particular case they are to judge of. But yet, if they judge not according to that, he tells them, they are not subject thereby to any penalty, unless it be made appear, they did it against their consciences, or had been corrupted by reward.” It is scarcely possible to state more precisely or forcibly the right and duty of a jury: but yet, if we examine into the actual practice, especially in cases of libel, we shall find, that notwithstanding Mr. Fox’s celebrated and well-intended bill, the jury generally leave the decision of the most important part to the judge. Having thus briefly traced the time of the origin of the present mode of proceeding against libels, let us now consider more particularly in what it consists: for its character is fully disclosed, its impropriety must be to all unprejudiced

diced persons very striking. "As the law of libel now stands, his majesty's attorney-general is invested with a most alarming authority; no less, in fact, than amounts to a complete restoration of the odious jurisdiction of the court of star-chamber. The situation of a public writer, when the attorney-general chooses to mark him, is truly distressing. In cases between *subject* and *subject*, it lies in the power of the court to refuse an information; but when the crown is the prosecutor, the attorney-general comes into court, and by his *own authority* files an *information* in the *king's name*, which the judges cannot deny: nor has the *defendant* any privilege to show cause against it: by which means bad ministers have it in their power to harass any man with frivolous and vexatious prosecutions; for though he is acquitted with honour by his country, yet, the crown being exempted by *custom* or *prerogative* from paying *costs*, the innocent man may be involved in an insupportable expense, and be thus *punished* without *conviction*. But this is not all the injury that a public writer is likely to suffer; for it must be remembered that the attorney-general has power, after the information is filed, to require the party to find bail; and if he does not provide it, he is hurried away from his family and friends to suffer all the horrors of a prison\*."

In reply to this strong statement, which, strong as it is, is not overcharged, what is the sum and substance of the arguments offered by the attorney-general, and his friends in the house of lords and house of

commons? Nothing more than this, that the power thus vested in the attorney-general is not abused. How would an Englishman sneer at an answer of a similar kind from an inhabitant of any despotic country? Would he not tell him, and tell him truly, in most cases, that in his free and happy land the constitution did not trust to the prudence, the good sense, or even the love of liberty, of any man, for the protection of the subject; that it threw over him a more powerful shield; and that the essential difference between a free and a despotic government consisted in this, that in the former the life, liberty and well-being of the people rested with no man, but were under the protection of the law; whereas in the latter country they depended upon the caprice of their fellow men: if these were wise, humane and friends to freedom, they were safe; if otherwise, they were destroyed. In a free country, no power which can be abused should be given to any man, unless it is *demonstrable*, that the good resulting from the granting of such power much counterbalances the evil which the abuse of it may produce.

But there is another view of this subject; and it is impossible to place or consider it in too many points of view;—where all else is fair and happy, who would not use his utmost endeavour to destroy the only blemish?—It is said that the power vested in the attorney-general has not been abused: this is matter of opinion; and it is likely that those who may chance to think that it has been often grossly abused, will declare so, when by such declara-

\* See an excellent letter to lord Holland, signed Publicola, in The Times newspaper, 28th February 1811.

tion they may afford a decisive proof of the truth of what they assert? But allowing it has not been abused; whence does this arise? Partly, it may be granted, from the particular character and principles of the attorney-general; but certainly in a much greater degree from the character of the people. All governments learn wisdom, though unfortunately very slowly, and after many severe experiences of the bad effects of folly; and the people of most European countries, becoming more enlightened, are less disposed to put up with open and violent attacks on their liberty and happiness. Prudence, therefore, rather than principle, will, with most governments, produce more mildness and equity in their administration, and bring about a change in it long before a change is produced in the constitution of a country. If, therefore, the power vested by our laws in the attorney-general is not abused, that officer, whoever he may be, should not take all the credit to himself for his moderation; the spirit of the times is no slight cause of it. Besides, is it not natural to imagine, that if an attorney-general felt no disposition to abuse his power, he would be desirous that he should be freed from it, as it holds out such temptation to abuse,—especially if, as we shall now attempt to show, all the purposes of his office might be as effectually and more easily accomplished without it?

It is impossible to assign or suppose any sufficient reason, why there should be any difference made in the proceeding between subject and subject, and between the crown and the subject, in filing a criminal information. The difference must have arisen in times

when the liberty of the people was little regarded, and when in our courts of law the power and interest, or even the capricious and tyrannical wishes, of the crown were put above all other considerations. But surely the period is arrived when the crown ought to reject this odious privilege, as unnecessary for the protection of its rights, and calculated only to be used for the injury of its subjects. If the mode of proceeding by filing an information is to be followed, let there be no difference made, whether the case is between subject and subject, or between the crown and a subject. In either case, let the court have unchallenged and legal power to refuse an information, if to them there should appear to be no grounds for it. Thus would an effectual barrier be placed between the rights and liberties of the people, and any encroachment on them on the part of the attorney-general. If, when the latter applied for liberty to file an information, the court thought proper to grant him liberty, it is to be supposed that they saw sufficient grounds for what they granted; and no murmuring could arise, as is the case at present, when the attorney-general, after having instituted a prosecution and put the accused party to great expense, afterwards deserted the trial, because it would then be presumed, and fairly presumed, that lenity, and not a difficulty of making out the case, induced him to withdraw his proceedings. At present, as has been already remarked, there is no check or control over him; every application he makes to the court for liberty to file an information, is granted immediately as matter of course. No inquiry is made, whether there are sufficient



grounds for the accusation he means to prefer; and afterwards, if he should relinquish his intention of prosecuting, there is no hold upon him for expenses.

But a mode still less exceptionable, and better calculated to insure and protect the liberty of the subject, would be, that in all cases of libel, whether public or private, the accusation should, in the first instance, go before a grand jury, as is done in all criminal accusations. If the grand jury should give it as their opinion, that the accusation was so well supported that further inquiry was necessary and justifiable, then the trial should go on; but if they decided otherwise, all further proceedings should be stopped. It is impossible to perceive or to fancy any evil that would result from the adoption of this mode. The institution of a grand jury, though, when compared with the institution of the common jury, its utility and benefit to the liberty and well-being of the people are trifling, is still a matter of just triumph to this country. How many harassing, expensive, and vexatious accusations would be brought forward, if it were not for this institution! In how many instances have the character, the peace of mind, and the fortunes of individuals been saved by it!—And if it is proper and advantageous in cases where accusations of murder, of felony, or of treason, are brought forward, why should accusations of libel not come before it also? This then should be the mode and process: the indictment preferred by the attorney-general should be laid before the grand jury, who of course would call for the evidence in support of the alleged crime: if they gave it as their opinion that

there was sufficient ground for proceeding to trial, then the case should of course come before the court: otherwise the bill, as is now done in criminal cases, should be thrown out. By either of these modes, either by giving the court the power of refusing the information applied for on the part of the crown by the attorney-general, or by obliging the attorney-general to proceed by bill instead of information, and subjecting the bill to the decision of a grand jury, would the liberty of the subject be effectually protected and secured. As the case now stands, it is folly, or worse than folly, to boast of the complete liberty of the press in this kingdom; while an officer of the crown has the unchecked and unquestioned power to put any individual to serious expense, and to all the inconvenience and agitation of mind necessarily consequent on having an information for libel filed against him. We may contend that we are better off than other nations, but we ought not to hold our country forth as enjoying freedom of the press.

Another point has already been adverted to, which is also ungrateful to the feelings of Englishmen, and hostile to the spirit of their constitution: the attorney-general, after the information is filed, has it in his power to hold the accused person to bail; and, if the bail is not given, to hurry him away to prison from his family and friends. This was not attempted to be defended in the discussions on the subject in the house of lords and house of commons; but the unsatisfactory and thread-bare argument was resorted to, namely, that the attorney-general never exercised this power. Enough, it is believed, has been urged to show the

the futility of this mode of reasoning. Let us see then how the case stands: the attorney-general thinks proper to apply for an information against an individual for a libel; the court make no inquiries about the circumstances or the proof to be adduced, but grant the information; or rather the attorney, of his own authority, files it: when this is done, if the accused person does not find bail, he may be imprisoned. But let us suppose he does find bail; of course he immediately takes measures to defend himself against the accusation, which he has reason to think will be regularly brought to trial. The attorney-general may delay bringing it on, and thus increase the expense, and prolong the apprehension and agitation of the accused: or, after the latter has prepared every thing for his trial, he may desert it altogether, and thus deprive the individual of the opportunity and power of proving his innocence.

Surely all this is wrong, and ought to be remedied; and it is difficult to conjecture on what account ministers can wish its continuance, or by what process of reasoning they can satisfy their own judgements and consciences that they are doing their duty in supporting it. Would not all the ends and purposes of justice be equally well answered and secured, if the mode of proceeding against libel were exactly the same as that followed in all criminal cases? Even granting that what is now deemed by the courts of justice libellous, and what ministers wish to punish as such, were still declared by law and by the decisions of the judges to bear that character, yet punishment in all instances where it was merited would follow as certainly

on the plan proposed as it does now; while the subject would be freed from the exercise of the caprice of an attorney-general, and from the hardship of suffering in his purse and peace of mind, without trial.

But moreover, as if this part of our constitution, or at least of the practice of our courts and government, were not sufficiently harassing and odious, and sufficiently hostile to the liberty of the press, there are other circumstances connected with the trial for libels, and with the punishment awarded where the accused is found guilty, that are equally objectionable and call equally for removal.

In all felonious offences, the accused person is most justly and humanely kept out of the hands of special juries, and tried by a common jury only. In the case of libel, the attorney-general has the liberty and the right to call for a special jury, and in most cases he exercises this right. Thus the first evil in the process, that of proceeding by *ex-officio* information,—as if the danger from the supposed libel were so great and imminent that the regular and common course of law would be too slow,—is followed by another evil of nearly equal magnitude, and equally hostile to the liberty of the press and to the just interests of the accused. Let a special jury be spoken of and viewed with the utmost candour, still all persons must admit, that there is less chance in the selection of them to try a case of libel, to find impartial persons, than in the selection of a common jury.

The next evil consists in the punishment frequently awarded: let us suppose that the punishment in two different cases is one year's imprisonment: from the words of the sentence, it might be inferred,

red, that it was the same in both cases. But how different will it actually be found, if in one instance the guilty person is put in prison near his friends and his business, and in the other instance is carried to a distant gaol, where he cannot superintend his concerns, or receive the company and consolation of his friends! Here it is evident that the punishment inflicted is very different in reality, though in words the same. This power exercised by the court, of sending men to distant gaols, is a remnant of the despotism of those times to which no Englishman can look back with pleasure or exultation. Formerly, the crown exercised the power of imprisoning men in Guernsey or Jersey, and it was one of the earliest efforts of the long parliament, in the days of its purity and independence, to put a stop to this barbarous custom. It is worthy of remark too, that the practice of imprisoning men in distant gaols is seldom if ever resorted to, except in the case of libel; just as it, where the liberty of free discussion and of the press was concerned, government were so hostile, that they had recourse to every mean which savoured of the worst period of our history, and which was the least reconcilable or consonant to the genuine spirit of the British constitution.

Let us sum up the evils we have stated, with regard to the law of libel, the mode of proceeding against a person accused under that law, and the punishment inflicted on him if he is found guilty. In the first place, the law is vague and obscure; it is not defined in our statute books, nor by the official opinion and decision of the judges: at one time, and according to one judge, a libel is that which

leads to a breach of the peace; at another time, and according to another judge, a libel is that which tends to bring his majesty's government into disrepute; while at other times, and in the opinion of other judges, whatever hurts the feelings or injures the character is libellous. In the next place, the mode of proceeding in the case of libel is objectionable in many points: in allowing the attorney-general to file unquestioned, and according to his own pleasure, an information; in resting entirely with him the time when he will bring on the trial, or whether he will bring it on at all or not; and in giving him the option of trying the case by a special jury. Last of all comes the punishment, which sends the guilty person to a distant prison, and thus, besides depriving him of his liberty, injures his fortune, and probably breaks his constitution and his spirits.

Having thus, at considerable length, examined this most important subject, we shall now advert to the two principal cases of libel which were tried in the course of the year 1811,—as they, besides illustrating what we have urged and complained of, will bring before us other subordinate points that still further open to our view the defects of the law of libel, and the usual manner of executing it. On the 22d February, the proprietors of *The Examiner*, are respectable and popular Sunday newspaper, were tried in the court of king's bench for a libel: the alleged libel was very similar to that for which Mr. Cobbet had been punished; namely, a strong and highly-coloured Philippic against the practice of military flagellation. The attorney-general contended, that the paragraph complained

plained of had a manifest tendency to excite mutiny among the soldiers; that it was written with this purpose; and that it studiously held up our military system as inferior in justice and humanity to the military system of Bonaparte. Mr. Brougham, the counsel for the defendants, argued on the other side, that if mutiny were not produced by the flogging itself, it could hardly be produced by any Philippic against the flogging; and that the paragraph in question might, with much more justice and reason, be ascribed to a mind which felt strongly for its country's honour, and, from this feeling, wished a practice it deemed hostile to it to be discontinued, than to a disposition which delighted in violence and disorder, and which preferred the laws of Bonaparte on this subject to the laws of Britain. And certainly the case of the defendants was a very strong and favourable one; for, if a practice injurious to the community, and hostile to the spirit of the constitution, is not to be reprobated in the language which shall express the feelings of indignation which it necessarily and naturally excites, what mode shall be fallen upon to put an end to it? or how are we better off than the slaves of Bonaparte? The alleged libel did not call upon the soldiers to mutiny, because military flogging was, in the writer's opinion, unjust and unnecessary: the guilt then consisted in the glowing picture which it exhibited of a soldier suffering under this kind of punishment; and this was conveyed in such strong language, that, if read by the military, it would create mutiny! Surely, here is a stretch of inference which does more credit to the zeal than to the judgement of the

attorney-general. Men who had never witnessed the flogging of a soldier might be prevented from becoming soldiers by reading or hearing a high-wrought description of its effects; but those who had seen the punishment itself, and yet not mutinied, would not be induced to mutiny from the mere description of it, however glowing and exaggerated. Besides, with respect to the alleged motive with which the paragraph in question was written; the attorney-general contended that the motive was bad; that even allowing the tendency was not to excite mutiny, yet that was the object of the writer. If we examine on what this imputation of motive is grounded, we shall perceive how unjust and fallacious it is: the object was bad, contends the attorney-general, because, had it been good, reasoning and calm discussion would have been used, and not high-wrought and impassioned description. But before the evil supposed to exist is reasoned upon, must it not be described? and if it is such as to call forth indignation, ought that indignation to be restrained? Is not attention, and consequent reform, more likely to be produced if the evil is painted in its true colours? and will not the reasoning employed come with more force and effect, if the facts are detailed in their full and naked deformity? Let us suppose that the inquisition still existed in this country, and that a writer wished to put it down; if he felt it to be the disgraceful and dreadful curse which it actually is, could he speak of it in cold and measured language? or, if he could, would it be right, or doing the most for the end he had in view, if he did? If he did use language fully descriptive of the tortures the

inquisition inflicted, is there no motive more probable, than that of disaffection to his country, and a wish to create tumult and violence? Is it so difficult to distinguish between that warmth of language which the consideration of what we think injures and disgraces our country calls forth, and that which would be used by the enemy of his country for the purposes of mutiny or rebellion? In the case which we are noticing, the verdict of the jury was in favour of the defendants; that is, they pronounced the paragraph complained of by the attorney-general not to be a libel: this paragraph had been copied from the *Stanford* newspaper, the editor of which was subsequently tried at Lincoln, and the jury there found a verdict against the defendant. Is it necessary to say more respecting the uncertainty of the law of libel?

The other trial for libel, to which we alluded, and on which we intimated our intention of offering some remarks, was that of Mr. White, the editor of a Sunday newspaper entitled *The Independent Whig*. Mr. White, at the time the alleged libel appeared in his newspaper, was suffering the punishment of a former, of which he had been convicted, in the gaol of Dorchester. Here, then, is the first hardship in this case: we will for a moment allow that the paragraph complained of by the attorney-general was a libel, and that the guilty person ought to have been tried and punished for it. But who, in this instance, in the estimation of common sense and of justice, could be deemed the guilty person? The law very properly makes the master answerable for the deeds of the servant, in all cases where the deed is not criminal. If a libel appear in a

newspaper, it will not hear of the excuse or justification of the editor, if that excuse rests on the plea, that he was ignorant of the insertion of the paragraph, and that it was inserted by one of his servants, employed in the printing of the newspaper, solely of his own accord. But why does the law so pronounce? Surely, because it supposes, and justly too, that the master overlooks the actions of his servants; and that while he takes care that they are industrious and attentive, so as to secure and promote his own interest, it is his duty also to be on the watch, that they do not injure the public. But in the instance of Mr. White, how did the case stand? He was sent down to Dorchester, and there confined in a gaol: that is, the law, by its own act, took away from him all possibility of overlooking or checking his servants, and yet punishes him because they did wrong. But it may be urged, that he had no right to carry on a concern which he could not overlook; and that if, so carrying it on, the laws of his country were infringed, his punishment was only just and merited. So then, according to this doctrine, the sentence of one or two years imprisonment for a libel is much more severe than to common apprehension it would appear. To those not conversant in the practice of our courts, such a sentence would imply merely a confinement for that period; or, it may be, they might anticipate a confinement at a distance from the abode of the person's friends and the scene of his business: but they would hardly anticipate a still more severe punishment implied and intended in the sentence of the court, that the culprit should be confined for one or two years: they would not suppose that

that the total abandonment of the person's usual mode of livelihood were meant: and yet, if the law has the power to send the editor of a newspaper to such a distant gaol as shall make it impossible for him to superintend the printing, and yet holds him amenable for whatever of a seditious or libellous nature may appear in it, does not the punishment actually amount to this?

In the case of Mr. White, the jury were fully sensible of the hardship under which he laboured, and accordingly they delivered their verdict, after having been in the box for four hours, in writing, in the following words:—"The jury find the defendant guilty of printing and publishing the libel, through the medium of his agent; but, on account of his peculiar situation, earnestly recommend him to mercy." Mr. Lawten, the clerk of the court, in the absence of lord Ellenborough, objected to the verdict, unless he might consider it as "*Guilty*." This the jury were not disposed to admit; so that, after retiring for about ten minutes, they returned a verdict of *Not guilty*.

We have already adverted to the uncertainty of the law of libel, so far as regards the definition of the crime; but this trial, when compared with other trials for the same offence carried on by the present attorney-general, will furnish us with other proofs, that this part of our code needs looking after, that it needs revision and amendment. On the trial of Cobbet for a libel respecting military flogging, the attorney-general, drawing a comparative scale of the guilt of the different parties, laid it down as indubitable, that the guilt of the publisher was nothing; was at the lowest point of the scale; while

the guilt of the writer was enormous: that therefore the law should direct its research and punishment towards the author, and let the publisher pass by as comparatively innocent. But afterwards, on the trial of an editor of one of the daily newspapers for a libel on the *Idiery*, the guilt of the author, according to the same attorney-general, was a mere evanescent quantity, when compared with that of the publisher. On that trial the author was given up. The libel was written when the editor was in bed; and it was not seen by any but the workmen in the printing-office before it was published. It might therefore have been supposed, that the editor's share of guilt was not very great; since the intention was without proof or even probability: on the contrary, there was proof that the feelings and intention of the editor lay the opposite way; for soon afterwards he inserted in the same paper a long letter to do away the impression which the libel might be calculated to produce: yet the editor was chosen by the attorney-general, in preference to the author, was tried, and sentenced to imprisonment for a twelvemonth.

In the case of Mr. White, the author was in the hands of the attorney-general: the proprietor of the newspaper was at a great distance; not absent for pleasure, or business, and on their account leaving the superintendence of the newspaper in improper hands. The absence of Mr. White was caused by the operation of the law; the judges had sent him to a place where he could not, let him have been ever so anxious, prevent the insertion of a libel in his newspaper: they had sent him there; in consequence of a prosecution by the attorney-general: and yet he was  
now

now brought before these judges by that same attorney-general, to take his trial for a libel inserted, without his knowledge, during his absence.

How much more in unison with the spirit of the British constitution, then, would the law and the practice in the case of libel be, if *ex-officio* informations were done away; if a grand jury were interposed between the accusation and the trial; if common and not special juries were invariably summoned to try cases of libel; if the punishment were confined to imprisonment in the gaol of the district where the crime was committed; and if, above all, our statute books enabled, or made it the duty of, the judges to give a more perspicuous and precise definition of this crime! Let us hope that government, though naturally, and perhaps justly and wisely, slow in changing any part of our constitution, will investigate this branch of it; and do away the reproach raised against Englishmen, that their boasted freedom of the press amounts to little more than the liberty of speaking well of the minister and his measures.

Closely connected with this subject is the discussion that took place in the house of commons, towards the end of March, respecting the state of the press in India. The argument, however, on this subject, will on examination be found to be not nearly so powerful in favour of the liberty of the press, as

when the question applies to this country. That the freedom of the press is a good, cannot be denied; but it happens in the moral and political world, as it happens in the human constitution, that from some morbid affection, or weakness, what is, in itself and generally speaking, a good, may produce much serious mischief. One undoubted maxim however may be laid down, that wherever free discussion is really dangerous,—that is, dangerous and hostile, not merely to despotic measures, and to the despot himself, but to the well-being of the people,—in that case, the state and condition of the people is bad; and if it is the interest as well as the duty of the government to put fetters on the press; because otherwise the *governed* might be injured, it is much more their interest and duty, by all the means in their power, to root out from the people every feature in their character, which converts the whole some food of free discussion into a deadly poison. Where free discussion actually does harm, it must arise, either from a despotic government, whose measures, if detailed in their true colours, would produce tumult and insurrection; or from an ignorant people: and in either case, by removing the cause, free discussion would flourish, and strengthen and benefit the community, instead of convulsing and poisoning it.

## CHAPTER IX.

*Introductory Remarks to the Consideration of Lord Sidmouth's Bill for the Amendment of the Toleration Act—Sketch of the History of Religious Freedom in this Country during the present Reign—Its present State—Causes which produced*

*produced the Evil that Lord Sidmouth wished to remove by his Bill—Grounds on which he supported his Bill—Opposition made to it by all Classes of Dissenters—The Facts and Arguments they urged against it—Remarks on the supposed Necessity and probable Consequences of the Bill—Establishment of a National Institution for educating the Poor—Causes and Motives which gave rise to it—Dr. Bell and Mr. Lancaster's Merits and Plans considered—Good Effects that will result from the National Institution—Obstacles in the Way in England greater than in Scotland—Observations on the Encouragement our Government gives to Persons who forsake the Service of the Enemy—Their Motives questionable—The Doctrine of Assassination held by them—Its Justice and Utility considered.*

HAVING detailed those events and transactions, connected with the domestic history of Great Britain for the year 1811, which relate to the civil and political liberty of the subject; and taken the opportunity, which they afforded, of offering some observations on the law of libel, as it at present stands; we shall now proceed to the record of an event in which the religious liberty of Britons was generally thought to be very much involved and interested. But before we come to the event itself, it may be proper to premise a short sketch of the progress of religious liberty during the last half century; the actual state in which it at present exists; and the causes which gave rise to the event which we are about to record and consider.

Ever since the reformation of religion, the line of separation between a man's belief and practice, so far as they regarded his maker and a future world, has been kept pretty distinct, in the view of most governments, from his opinions and conduct, so far as they regarded his duty as a member of civil society. Before that event took place, so powerful was the influence which priests possessed and exercised over the consciences and the conduct of all men in power, that heresy, or what they were pleased

to deem heresy, was sure to meet the vengeance of the government. The Reformation was of service to mankind, not merely by keeping religion more apart from civil opinions, but also, in a still greater degree, by introducing more liberality and wisdom into the minds of men in power. They perceived, that it was not only unjust, but extremely foolish, to persecute on account of difference of opinion in religious matters; and though even the British government, the most liberal and enlightened of all, had not the good sense to expunge from the statute book all the laws which denounced punishment on heretics, yet they took care that they became obsolete and dormant.

A spirit of religious liberty has particularly distinguished the present reign: and this spirit has manifested itself, both by not acting upon obsolete statutes, and by the actual repeal of some of the most obnoxious of them. It would be invidious and unjust to inquire, how far and in what respects this religious liberty has proceeded from religious indifference; since the motives of all men, and particularly of those in power, are much mixed; and those who are governed, provided they are governed wisely, and in such a manner as secures their liberty and happiness, ought



ought not to be inquisitive or scrupulous about the principles or the motives of their governors. But although the inquiry respecting religious indifference, or a real and conscientious regard to religious liberty, should not be pushed too far, so far as respects men in power; yet it is a very fair and legitimate object, so far as regards those who are appointed by government, to watch over the interests of the established church. By an accurate and near examination into their character and conduct, we shall probably be able to detect the circumstances which induced Lord Sidmouth to introduce the bill which we are about to consider, and which created such general and deep alarm among the friends of religious toleration.

It is impossible (whatever may have been urged respecting the French at the beginning of their revolution) that the mass of any people should exist without religion; and their religion will generally be more a matter of feeling than of reasoning; rather gross and palpable, than refined and spiritual. To keep them out of the lowest and most degrading superstition on the one hand, and the most ridiculous enthusiasm on the other, requires, on the part of the established clergy, not merely unremitting attention and warm but rational zeal, but that knowledge of the human character which will be able to make use of, without encouraging or strengthening, the prejudices of the vulgar, and which, in their discourses from the pulpit, will lead them to mix up just so much enthusiasm as will serve to warm the hearts without leading astray the judgment of their hearers. While the established clergy acted in this

manner, their churches were full, their sermons were attended to with seriousness, and their advice was followed; but many causes, some resulting from the progress of luxury, wealth and refinement, and others from less definable and precise sources, operated to produce languor and remissness in the established clergy. They lost the hold they were accustomed to possess over the minds and opinions of their flocks; their churches were deserted; and the multitude resorted to other pastors. We have already remarked that the mass of the people cannot exist without religion; and that, if care is not taken, their religion will be of the grossest kind. From this kind of religion, while the established clergy were zealous, active and attentive to their duty, the mass of the people were in a great measure preserved: the established clergy, generally speaking, could have no interest or inclination to lead them into it. But when the multitude went astray from their regular and accustomed places of worship, they soon found pastors, who either from conscientious or worldly motives preached a religion that fell in exactly with their natural disposition. Thus, while the established churches were deserted, the chapels of these new pastors were filled; while men of talents and of sober religion were forsaken and disregarded, men destitute of all information were followed by the admiring crowd.

The remedy for this evil is certainly not very obvious nor very easy; but though what will be of service cannot be pointed out clearly and expressly; yet it may safely be pronounced, that nothing that savours in the slightest degree of intolerance or persecution will be

be of any avail. The evil requires a delicate hand : it must be treated with skill, with tenderness, and with a thorough knowledge of its seat and its causes. It is certainly an object worthy the profound contemplation of the friend of his country ; of the friend of religion, and the happiness of his fellow-creatures ; for what can be more distressing to such a person than to witness the mass of his countrymen led astray, on the most important of all subjects, by ignorance and superstition ? In points infinitely less important, the laws of the country, or the institutions of society, prevent unqualified persons from doing mischief : no person is allowed to advise his fellow countrymen in matters of law, till a competent authority and judge has permitted him so to do. Such, no doubt, were the leading reasons which induced lord Sidmouth to bring in his bill : but, as we have just remarked, to remedy the evil required uncommon delicacy, and uncommon penetration and knowledge of mankind ; and unfortunately the noble lord was deficient in these respects.

In order, however, that lord Sidmouth may have full justice done him, it will be proper to give an outline of his bill, and of the arguments and facts by which he supported it. On the 9th of May he called the attention of the house of lords to certain abuses which existed with regard to the toleration act (as it is called) of William and Mary, and moved for leave to bring in a bill to amend and explain it. According to this act, all ministers in holy orders, provided they subscribed twenty-six out of the thirty-nine articles, and took the requisite oaths, might preach in any place of worship. This

act was amended by the 19th of George the Third, which dispensed with their signing any of the thirty-nine articles, and required them only to express their belief in the holy scriptures. Till within the last thirty or forty years, this act had been construed in such a manner as to exclude all persons unqualified from want of the requisite talents and learning, and unfit from the meanness of their situation or the profligacy of their character. But within this period, all who offered themselves at the quarter-sessions, provided they took the oaths, and made the declaration required by law, obtained the requisite certificates, not only as a matter of course but of right. By this means, mischief of very various kinds was produced : a herd of ignorant men were let loose to preach the most absurd and dangerous doctrines, under the name of religion ; and while such men could so easily obtain a certificate, and found so many willing to hear and to pay them, their numbers were not likely to diminish. But there were other reasons which increased the number of these preachers ; and other evils which resulted from this loose mode of granting certificates. Whoever obtained them was thereby exempted from serving in the militia, and from many civil burdens to which his fellow-citizens were subject ; so that those who thus led the people astray upon the most awful and important of all subjects, partook of those immunities which the laws meant only for those who strengthened their influence by pure religion and morality.

In order to remedy this evil, lord Sidmouth said he meant to bring in his bill ; in which he proposed that, to entitle any man to obtain

obtain a qualification as a preacher, he should have the recommendation of at least six reputable householders of the congregation to which he belonged, and that he should actually have a congregation which was willing to listen to his instructions. With regard to preachers who were not stationary but itinerant, he proposed that they should be required to bring a testimonial from six householders, stating them to be of sober life and character, together with their belief that they were qualified to perform the functions of preachers. The effect which the noble lord expected would be produced by his bill was, that improper and unaccredited individuals would be prevented from assuming the most important of all functions—that of instructing their fellow-creatures in the principles of religion and virtue.

It is scarcely possible to describe the alarm and agitation which the notice of this bill produced among all classes of dissenters: it united immediately, and most firmly for the moment, the most opposite sects. In the short space of forty-eight hours, 336 petitions from various congregations within 120 miles of the metropolis, signed only by males above sixteen years of age, were presented to the house of lords. The following abstract of the resolutions that were passed at a general meeting of protestant dissenters, and other friends to religious liberty, held for the purpose of preventing by every legitimate effort the successful progress of lord Sidmouth's bill, will sufficiently prove the extent and seriousness of the alarm that it excited, and at the same time unfold the grounds on which it was opposed.

It is well known that the grand

and fundamental point of difference between the established church and all those who dissent from it consists in this:—that the former are of opinion that religion and the management of the temporal concerns of mankind should be united, and that, to effect this union, the government ought to patronize and support a particular form of belief; whereas the latter contend, that religion ought to be, as it actually is, an affair entirely between man and his maker; that it can support itself without the aid of the civil power; and that, wherever that aid has been held out to it, it has only tended to weaken and corrupt it. Proceeding, therefore, upon this leading principle of difference and separation from the established church, the dissenters objected to the bill introduced by lord Sidmouth, as having a manifest and undoubted tendency to encroach upon their religious rights: they considered it not only as objectionable and prejudicial in itself, but as paving the way for further encroachments on the toleration act, which it professed to amend. There were other circumstances, besides the introduction of this bill, which alarmed the dissenters and friends to religious liberty at this time. By the toleration act, if a person came before a magistrate and took the requisite oaths, he of course ought to have obtained a certificate permitting him to preach. The act gave no judicial authority to the magistrates in this case; the power vested in them by it was merely ministerial. But in many instances they had assumed a judicial authority, and absolutely refused to grant the required certificate. The conventicle act, too, had been put in force in different parts of England: by this act, whoever

whoever assembled to worship God in a place not regularly licensed was liable to a heavy penalty, and even in some cases to imprisonment. In this, and indeed in all countries, there will always be too many individuals who are upon the watch to rise up against any set of men whom they perceive to be persecuted by government, or obnoxious to them. The consequence of this display of hostile feeling on the part of the magistrates, against the dissenters, was, that in different parts their meeting-houses were violently attacked, and their preachers grossly abused.

But it was not so much on account of the infringements on the toleration act which had already taken place, or even on account of the alteration which would be produced in it by lord Sidmouth's bill, that the dissenters and the friends to religious liberty were alarmed: to them there appeared to be the commencement of a regular system of persecution and intolerance, which it was incumbent on them to check and strangle in its infancy, lest, if suffered to gain its full maturity and strength, it should master all their efforts. On this ground, therefore, they called on their brethren to co-operate with them; and, as we have already remarked, the alarm was so general and so great, that in a space of time almost inconceivably short, petitions were sent up against the bill from all quarters of the kingdom. Their efforts were crowned with the most complete and triumphant success: ministers themselves, and even the dignitaries of the established church, opposed the bill, as calculated to do no good; as unequal to the removal of the evil which on all sides was acknowledged to exist; while it might do

much mischief, and certainly had given great alarm and created much apprehension.

In one respect, we are disposed to differ from those who were so strenuous, active and zealous in their opposition to the bill: we do not think that it was, or could have been made by any government, the beginning of a system of intolerance and persecution. The times will not bear it: the government of this country has too much prudence and good sense: even without giving them credit for a much larger portion of the love of liberty than those who exercised the supreme power a century ago, we must give them credit for at least as much regard to their own safety and interest. The times formerly would bear intolerance; now they will not: men in power know this; and though they may be disposed to go as far as the spirit of the times will permit, they are seldom disposed, for their own sakes, to go further; or, if they are disposed, they are not able. It is however fortunate in all respects, and for all parties, that lord Sidmouth's bill was thrown out; though it must be acknowledged that the evil it was intended to remove is very great, and may, if not checked by the only proper and effectual means, the spread of knowledge and the zeal of the established clergy, do much more serious harm than the rejected bill could possibly have occasioned.

These means, at least in part, seem to be in the way of being put into practice. An event has come up with so much prominence and importance, towards the close of the year 1811, that it becomes us to notice it: we mean the plan for a national education of the poorer classes of the people. The causes and

and motives that may have led to the adoption of this plan may not be the purest or the most honourable; they are probably of a mixt nature; but, if the people receive the advantages of education, it matters little from what motives it sprung, or who had the honour or credit to originate the system. It may, however, be proper in few words to trace the causes which have produced this memorable plan.

Several years ago, Mr. Lancaster, a quaker, employed himself in the establishment of a school in the Borough on a new plan: by this plan, children might be taught reading, writing, and the most common and useful rules of arithmetic, in a very short space of time, and at very little expense. This saving of time, labour and expense was effected, principally by making the boys at once teachers and learners; and by some particular processes, which united great simplicity and quickness with great effect. Soon after Mr. Lancaster established his school and made known his plan of education, he was, to the immortal honour of the present king, patronised by him. For some time no opposition was made to the plan which Mr. Lancaster followed with so much success: schools formed and conducted upon it were established in different parts of the kingdom. The clergy of the established church seemed in general indifferent about it, or at least not hostile to it. By degrees, however, an outcry was raised against Mr. Lancaster and his plan of education. It was held out as decidedly hostile to the interests, and even to the very existence, of the established church, because he did not instruct the children under his care in the peculiar doctrines of that

church: they were indeed taught and accustomed to read their Bible; and as the doctrines of the established church are said to be plainly derived, in all their parts, from the doctrines contained in the Bible, it might have been supposed that Mr. Lancaster, by teaching the children to read the scriptures, was making them believers in, and friends to, the established church, and not enemies to it. Such was, however, the outcry; and it gained ground: many members of the established church, who before were indifferent on the subject, or who thought well of Mr. Lancaster's system of education, became alarmed, and set themselves in array against it.

The opposers of Mr. Lancaster were not satisfied with urging the accusation of hostility to the established church against him. Their next attempt was to rob him of the honour of the system altogether. Dr. Bell, a clergyman of the established church, who had formerly been in India, had soon after his return from that country, and before Mr. Lancaster had thought of his plan, published a pamphlet, in which he detailed the mode of education practised in Hindostan: this mode, in its principles and leading features, was the same as that afterwards adopted by Mr. Lancaster. To those who have patience to read through the numerous pamphlets that have issued from the press on the dispute between Dr. Bell and Mr. Lancaster, respecting their respective claims to the invention, or rather the introduction, of this system of education, (for neither of them invented it,) the case will appear to stand thus:—Dr. Bell published his pamphlet, detailing the particulars of the system,\* before Mr. Lancaster thought

thought on the subject. And Mr. Lancaster has, in fact, acknowledged that the perusal of Dr. Bell's work suggested the idea to him. So far Dr. Bell has the honour and credit; but Dr. Bell merely published: he did not attempt to carry the scheme into execution. Whereas Mr. Lancaster soon after he became acquainted with the scheme, set himself most perseveringly and actively to work: he spared no personal labour or fatigue; grudged no time or expense in the establishment of the new system of education. In this respect, therefore, Mr. Lancaster has the merit, and certainly this merit is of a much superior kind to that of merely sending a pamphlet into the world, and leaving to others the trouble of carrying the plan it detailed into execution.

We are by no means partial to Mr. Lancaster, nor blind to many defects and faults in the details of his plan, and in the mode in which he has put it into practice. He has a great share of ridiculous and vulgar vanity; he is by no means possessed of a strong mind; and in almost every thing he does there is a great deal of quackery. There are several serious objections to the management and economy of his school; and his system of punishments is much more calculated to break the spirits, to spoil the temper, and to injure both the mental and bodily health of his pupils, than the most severe system of flogging under which our forefathers suffered. But after deducting all these drawbacks from his own character, and his mode of education, much merit remains to both, and much public good has resulted and will result from his efforts.

It is certainly no inconsiderable 1811.

good, which must be traced to him as the cause; though not the intentional cause, that a national system of education has been established, and is patronised by those who from their rank, their situation in life, and their characters, are most likely to be able to carry it into general and successful effect. At the head of this establishment appear most of the dignitaries of the church, and the leading men of the land. Their object, of course, is to instruct the poorer classes in the doctrines of the established religion, as well as in the more common and useful branches of education. The good, however, is likely to spread much wider; and knowledge to penetrate even among the military. Schools, upon the plan either of Dr. Bell or of Mr. Lancaster, have been formed in many regiments; and the commander-in-chief, in public orders, has called upon the chaplains of the army to attend in the most scrupulous manner to their duty. Surely, this may be considered as an important æra; and the hope may justly be entertained, that the foundation is laid for more industry and virtue among the great mass of the people.

We must not conceal from ourselves, however, in looking forward to the effects which this national establishment for the education of the poor is likely to produce, that there are many obstacles in the way of its full and most beneficial operation. By many of its advocates, the example of Scotland is held out as most cheering and encouraging; but the cases are, unfortunately, very different. National schools were established in Scotland at a time when public depravity was not at a great height: of course, education had only to prevent, not to cure or eradicate. In

In this country, the system of educating the poor has not been resorted to till there is a very general diffusion of vice among them : against the contagion and effects of this, the habits and knowledge which children acquire at school will have to contend. In Scotland, children after having had their minds instructed, good principles instilled into them, a love of reading and information formed, and habits of attention and industry begun, by the discipline of a school, go out into the world among a comparatively enlightened and virtuous class of people ; by intercourse with whom, their good qualities are much more likely to be strengthened than weakened. But in England the case is the reverse : the good dispositions and habits brought by the poorer classes from school, will have to stand the shock and the temptation of ridicule and vicious company. Let us not, therefore, expect too much from this national establishment ; nor calculate upon the immediate or even the regular and general destruction of ignorance, idleness, and vice. If however the system be well conducted, and persevered in, it must do much good ; and not the least good will be, that by imparting more intelligence among the people, it will raise up the most natural and most effectual barrier against corrupt and despotic governments.

There is no circumstance, since the commencement of the first revolutionary war between this country and France, in which ministers have discovered more imprudence (to make use of the gentlest and most candid term) than in the countenance, support, and pecuniary encouragement they have given to all who have deserted from the service of the enemy. Instead of contenting

themselves with rewarding such persons for whatever important papers or information they might bring along with them, they have heaped upon them their confidence, and recompensed them much more highly than either their characters or their services deserved. These persons have always been loud and clamorous in calling upon the government and people of this country to give them credit for the most pure and disinterested motives, in quitting the enemy and coming over to us : according to their own statement, they could, no longer endure the tyrannical acts of the French rulers, and fled from them to the only country where liberty could be enjoyed. But might it not have been fairly and reasonably demanded of them, how they came so long to live under this tyranny ? and in most instances, how came they not only to live under it, but to be to the instruments of it ? for, be it remembered, that by far the greater proportion of those who called upon our government to receive, credit and reward them, had been high and confidential in the service of the French rulers ; or, if in a subordinate capacity and station, had still, as far as they could in that capacity and station, ministered to the deeds of tyranny and oppression. When it is known that a man for years has lent himself as an instrument in the hands of tyranny, and of the enemy of this country, surely it is not uncandid to suspect, that, when he does change his situation and residence, he is actuated by other motives than those which spring from hatred of the tyrant, from the love of liberty, or from attachment to this country ! There are other circumstances, moreover, which should lead us to suspect both the motives and the characters of such

such men: the violent and outrageous nature of their sentiments against those whom they formerly obeyed and served, certainly must create a suspicion, either that personal motives, unconnected with honourable or public ones, produced their determination to forsake the enemy, or that, though they have come over here, they are still in his interest: for, it is a common and a just observation, that real and well founded hatred, like real and well founded grief, is not clamorous: it does not rail and abuse, but it acts.

In these observations we have reference to no individuals; we mean them to be taken in a general view: but they are important. Reward those who desert the enemy, and inform you of his plans: but do not trust them, nor give them credit for pure motives; and much less so, when they are violent and outrageous in expressing their hatred and detestation of him whom they before served. We should laugh at the enemy, if he put his trust in such men if they deserted from us: and a similar conduct on our part affords him opportunity and cause for ridicule, and exposes us to danger.

Having premised these general remarks, we shall now advert to a scheme which was set on foot by some of those who fled from the power of Bonaparte, and took refuge in this country. An Anti-Corsican association was formed here: we do not know who the members were, nor whether they were, for the most part, men who had fled from Bonaparte; but the most active was generally supposed to be one of this description. In a work which recommended this Anti-Corsican association, it was stated and contended, in substance,

"that however reprehensible might be the general principle of cutting off your enemy by private means, yet it was possible to prove by solid reasons, and from weighty example, that, in certain cases, assassination was justifiable. When a man had been guilty of the most atrocious acts both of individual and of national injustice; when he had, in fact, declared himself bound by no law, and utterly beyond its reach, (and such was the situation of Bonaparte,) before what tribunal could he be brought, and how was vengeance to be inflicted upon him?"

The work, recommending the establishment of the Anti-Corsican association, then proceeded to detail and expatiate upon the various acts of tyranny and cruelty of which Bonaparte had been guilty: the murders of the duc d'Enghien, of Pichegru, of captain Wright, of Palm and others, were held forth as sufficient reasons to attempt the assassination of him who had perpetrated them. In consequence of the publication of this work, thus publicly recommending assassination, earl Grey in the house of lords, and Mr. Whitbread in the house of commons, called upon ministers to disclaim and reprobate the doctrine. This was done in the most ample and explicit manner, by marquis Wellesley in the former, and by Mr. Perceval in the latter house.

The doctrine, however, still met with those who were disposed to defend it: and their defence rested upon grounds and arguments which speak strongly to the feelings of all lovers of liberty, though they may appear weak and inapplicable to their cool and sober judgement. By the most consistent and able of these advocates, it was contended, that as Bonaparte made war on this



this country in an open and regular way, *we* had no right to oppose him in any other manner; but that we were not therefore called upon to express our abhorrence of the means by which the oppressed had always sought, as it were guided by the dictates of nature, to rid themselves of the oppressor. The right of man to free himself from tyranny, by destroying the tyrant by any mode in his power, was held to be as clear and undefeasible as his right, when perishing with hunger, to "snatch at the first victuals that came within his reach."

This right has been universally recognised: had it not, would the fall of Julius Cæsar have been so loudly applauded; or the name of Charlotte Cordé pronounced with so much gratitude and rapture? But in both these cases, the tyrants fell by those who suffered from their tyranny: Englishmen, therefore, not suffering under the tyranny of Bonaparte, have no right to raise the arm of private vengeance against him. But the inhabitants of Holland or Switzerland, or of any of the other countries on the continent of Europe which he has overrun and desolated, and crushed by the weight of his tyranny, are placed in a different situation: their conduct must be guided by other principles and rules. If an inhabitant of one of these countries restored his country's independence by the death of this man, would not the memory of such a patriot be held in everlasting remembrance? If, therefore, the deed when done would be approved and applauded, with what consistency or propriety can the recommendation of such a deed be reprobated and condemned? If such reprobation and condemnation be well founded, if it be called

for by the principles of justice; is there not the same obligation to reprobate and condemn the destruction of Marat by the hands of Charlotte Cordé? Would the British ministers, who indignantly shook from them the very suspicion that they were disposed to countenance or abet the scheme for the assassination of Bonaparte, join in condemning the action of that woman: or, if Bonaparte were actually taken off by these means, would they lament and reprobate the act? If, therefore, the act, when done, would be applauded; if similar acts are embalmed in the hearts of all the friends of the liberty and well-being of man; by what right, or upon what principle, shall the proposal to do the act be regarded with abhorrence?

Such is an outline of the arguments by which the assassination of tyrants generally, and of Bonaparte in particular, is attempted to be defended: but it is proper again to state, that those who hold these arguments expressly and most unequivocally and solemnly disclaim all right, on the part of the British ministry, to attempt, or to encourage any attempt for, the removal of Bonaparte by secret means, because he is not the tyrant of their country. At the same time they contend, that the British ministry have still "less right to put forth a public declaration contradictory to the general feelings of mankind, in all ages and kingdoms of the world, respecting men in Bonaparte's situation:" matters between him and the nations whom he is oppressing, ought to be left exactly in the state in which they are, to produce the natural effects of his tyranny and their hatred.

The arguments which we have just stated, if examined closely, coolly

sofly and impartially, will be found to involve one great fallacy: they go on the supposition, that approbation of the motive and of the deed are the same: that because the heart almost involuntarily approves the motive of Charlotte Cordé in the assassination of Marat, and is disposed to canonize her for it, therefore the judgment will approve the deed. Cordé wished to relieve her country: in comparison with this object her own life was of no moment. It may be even admitted, that so far as France was benefited by having one tyrant fewer, the action of Cordé was beneficial, as well as her motive good. But there are two grand objections to the assassination of tyrants, which may be held good even at the very time that those who free the world from them are revered and applauded; and these objections do not derive any of their weight from the consideration, that if the doctrine were countenanced, many who deserved not death would be assassinated under the plea that they were tyrants: the objections we are about to state lie against the doctrine, even when it is acted upon without abuse, and in cases which fall most completely within its meaning and recommendation.

In the first place, by spreading and upholding this doctrine, the thoughts and habits of those who are oppressed are turned aside from vigorous and connected enterprise, to insulated and underhand effort. There can be no doubt that a country, which is freed from oppression by the active, persevering valour of its inhabitants, aided by wise and comprehensive councils, will be much more likely to preserve its independence, and to ensure the blessings it has thus pur-

chased, than if it had been restored to freedom by the assassination of its tyrant. This is a consideration of no small moment. It is with nations as it is with individuals: the easiest method of gaining an object is not always the best: it is seldom that method which calls forth the energies of the human mind, which enables it to preserve the object when gained, or which gives the highest zest to its enjoyment. Let us suppose that Switzerland were freed from the tyranny of Bonaparte, by the valour, the enterprise, and zeal of her inhabitants: would not her independence, thus achieved, stand on a firmer basis than if one of her sons assassinated the tyrant? Is it not better, with a reference to her future efforts in favour of liberty, that all her children should be able to boast of their forefathers, as having had a share in the glorious work of her redemption from bondage, than that only one should be able to boast of the virtue of his ancestor? But it may be urged, that assassination should be resorted to, only when all other means fail: but will men rouse themselves up to the persevering and untired use of the more difficult means of united and active warfare, if there lurks in their minds the hope of succeeding by assassination? This doctrine, therefore, deserves reprobation, because it tends to weaken and palsy the efforts of those who are oppressed, and to destroy the motives and causes which might lead to the restoration of their liberty.

In the second place, the assassination of a tyrant is seldom, if ever, productive even of a temporary benefit to the oppressed people. This consequence results partly from the causes which lead to the preference of assassination,

instead of the more regular method of open and united resistance; and partly from causes connected with the tyrant himself. It is hardly to be expected that the removal of one man will make that easy to a nation, which before they deemed impossible: the same despair, or weakness of mind, which induced them to prefer assassination, will stand in the way of their efforts after the tyrant is removed. Besides, the nation in general cannot be forewarned of the design of him who intends to remove the tyrant: they cannot be prepared to take advantage of his removal. It is not so, in nearly the same degree, with those who have been the associates of the tyrant: they will be much more ready and able to step in and supply his place, than the nation will be to secure its independence. If it were the case, that only one man existed in a nation disposed and able to tyrannize over it, then his assassination might open to them a fair and reasonable prospect of complete and permanent deliverance: but it is not so; one tyrant produces many

others; and though the death of the supreme one must produce some confusion, and loosen the bonds of tyranny for a short time, yet the time will be much too short for a people, not prepared to take advantage of it, and not endowed with those qualities which would have rendered assassination useless, and which, on the death of one, could have prevented the accession of other tyrants.

It is much wiser, therefore, in all points of view, even in the present state of Europe, degraded and tyrannized over as it is by a man whom it appears so unavailing to oppose or shake off as Bonaparte, to keep alive the hopes of the oppressed nations; to encourage them to cultivate those qualities which may one day enable them to reconquer their independence; and which, if they do reconquer it, will render its possession more secure, permanent, and cheering; than to bid them despair, or entertain the belief that the time is utterly gone by in which justice, truth and liberty were an overmatch for guilt, error, and slavery.

## CHAPTER X.

*Second Division of the Domestic History of Great Britain, relative to the State of its Commerce—Introductory Remarks—Committee appointed to inquire into the distressed State of Trade—They do not trace it to its real Causes—Fallacies into which they fall—The Remedy they recommend—Grounds on which they recommend it—Cases of 1793, 1810, and 1811, not similar—Rise in the nominal Value of the Dollar—Lord King's Notice to his Tenants—His Conduct considered as legal, just, prudent, and patriotic—Lord Stanhope's Bill discussed—Remonstrance from the Merchants respecting the License Trade—Concluding Remarks on the State of our Commerce.*

WE come now to the second grand division of our subject, which comprehend all those

events, transactions, and circumstances that form the history of Great Britain, as a commercial country,

country, during the year 1811.—The two leading and characteristic features of this country, during the latter part of the 18th and the commencement of the 19th century, assuredly are the freedom of its constitution and people, and the immense and unparalleled resources which its manufacturing industry and skill, aided by enormous capital, have created. By these it is proudly distinguished from other countries; and whatever may be urged, and in some respects and degree justly urged too, in derogation of the claim to unparalleled freedom, yet, even when compared with itself at former periods, Great Britain may justly regard itself as having advanced both in liberty and in prosperity.

Whether this advancement will continue; whether it will proceed with the same rapidity; or whether it has now reached its period, and must hereafter give place to retrocession, it is impossible to determine with regard to either of the causes of our country's boast and glory. So far as our commerce is concerned, there is certainly a pause; and if, as is urged by many very intelligent and well-informed men, this pause is occasioned not by partial and temporary causes, that must in the natural course of things give way to a new and favourable impulse; but by a cause rooted in its foundation beyond our power to remove or shake, and which every year gains accession of strength and stability, and spreads its ruin wider—then the sun of Britain's commercial prosperity may be considered as having passed its meridian height and lustre. Certain it is, that the shock given to our commerce was never before so violent or lasting: the elasticity of trade, joined to the great power

of British skill and capital, in former times forced our commerce back to its original extent, and generally indeed caused it to rebound to a greater space. At present, no such operation appears to be going on.

In our former volume, we sketched out the history of British commerce from the commencement of the first revolutionary war; noticing the different interruptions it had met with, its present state, and some of the causes by which it had been reduced thus low. This year presents nothing more favourable or cheering: on the contrary, complaints of the dulness and stagnancy of trade are every where heard, and misery and want are making great inroads among those who formerly derived support and even wealth from our manufactures. Such was the state of the country, that a select committee was appointed by the house of commons to inquire into the state of commercial credit, and to report the same as it should appear to them, together with their observations thereon. The following is an abstract of the evidence that was laid before them, and of the report which they presented to the house.

The attention of the committee was directed to three points: first, the extent of the difficulties and embarrassments that the trading part of the community at present experience: secondly, the causes to which these should be ascribed: and thirdly, the expediency, keeping in view the present and future interests of the merchants and manufacturers, and of the public, of parliament affording any assistance.

It appeared that the manufacturers in the cotton trade in Glasgow and Paisley suffered more severely

verely and extensively than any other class of men. Their sufferings were ascribed to the enormous speculations to South America, in which the merchants of London, Liverpool and Glasgow had engaged: conceiving that this country would take off a great quantity of cotton goods at an advantageous price, they gave large orders to the manufacturers: the speculation having failed, they involved the latter in their own ruin. The merchants generally gave bills for the goods which they purchased: these bills were discounted for the manufacturer by the banks: thus the banks, having a great portion of their capital locked up in these bills, were not able to relieve the distress of the country. Hence may be perceived the extent and different ramifications of the evil: in consequence of the speculations of the merchants not succeeding, the manufacturer is compelled to contract his work, and thus throws out of employ an immense number of people: the banks also, having their capital locked up, or having actually suffered by the failures, and at the same time being rendered cautious and suspicious, neither can nor will afford that pecuniary assistance and support which they were wont to do. Capital being thus diminished, and, what is a more serious evil, credit being thus contracted and shaken, the evil spread wide on all sides, and every day took a deeper root.

Such are the causes pointed out and dwelt upon at considerable length by the committee; but their report is most evidently lame and defective; and the very means they take to support their statement work against them. Why were the merchants so anxious to speculate in the South American

trade? Partly, it may be said, because a great profit was within their reach, at least in their opinion: but there was another cause. The regular markets of the continent of Europe were shut, and they were glad to avail themselves of the chance of employing their capital by speculations to South America. The committee, in order to prove that our cotton trade, notwithstanding the partial and temporary stagnation, is on the regular increase, give the official value of cotton manufactures exported from Great Britain in the year ending the 5th of January 1808, when it was 9,846,889*l.*: in the year ending 5th January 1809, when it was 12,825,803*l.*: in the year ending 5th January 1810, when it was 18,616,723*l.*; and in the three quarters ending 10th October 1810, when it was 12,761,136*l.* But is there any thing to boast of or even cheering in this? The committee had previously traced the evil to over speculation; and of course, over speculation could not go on without a large increase in the quantity of the goods in which it consisted. It is very deceitful, and very foolish, to bring forward the increased value of our exports as a decisive and irrefragable proof that our commerce is increasing, unless at the same time it can be shown that the goods exported are paid for, with a reasonable profit. An individual will soon give up a losing trade; but it is otherwise with a nation like Great Britain, full of capital and of speculative men: there will for a great length of time be found persons eager to embark in speculations which have proved injurious to others; and besides this, where a nation is concerned, the loss is so much divided, that it must continue very long before

before it will put a stop to a losing trade.

Another cause of the commercial distresses, much insisted upon by the committee, will not bear them out in their opinion: they maintain, that "one cause that might be considered as connected with, and as at present aggravating, the existing distress, was the extent to which the system of warehousing the goods of foreigners, as well as native merchants, *for exportation*, had been carried." Had these goods been brought here, not for exportation, but for home consumption, it would be easy to perceive, how, by lowering their value, the merchants might have suffered. But it is not easy to see how warehousing foreign goods for exportation could cause commercial distress, *unless the markets to which these goods were formerly carried had become shut up or narrowed*. On this circumstance, indeed, as on the cause of the first magnitude, and primary in its operation, as well as mixed up with all the other causes, will the commercial distress be found to rest, and the committee certainly discovered more devotion to the minister than anxiety to do their duty, when they kept this cause completely out of sight. In giving their opinion on the last branch of their inquiry, namely the expediency, with a view to the present and future interests of the merchants and manufacturers, and of the public, of any assistance being afforded by parliament; the committee did, indeed, hint at some difference between the causes of the distress they were investigating, and that which took place in the year 1793. As this part of their report includes the plan of relief they proposed, we shall give it in their own words:—

"That your committee are warranted in stating, that there appeared a general concurrence of opinion amongst those of the witnesses who were examined, as to the expediency of affording parliamentary relief in the manner in which it was afforded by the issue of exchequer bills in the year 1793, although there was some difference as to the extent of benefit which might be expected to be derived from such relief. And your committee state it to be their decided opinion, that although there are many circumstances at the present time affecting the state of trade and commercial credit, which make a great difference between the present period and that of the year 1793; yet the distress is of such a nature and extent, as to make such parliamentary relief highly expedient and necessary; and that it promises to be productive of extensive and important benefit: that although in many cases such aid may not be capable of effectually relieving the persons to whom it may be applied, from great losses arising from the state of circumstances; yet by affording them time gradually to contract their operations, to call in their means, to withhold from immediate sale articles which at present can fetch only most ruinous prices, and to keep up the employment of their machinery and their workmen, though upon a very reduced and limited scale; it will divide and spread the pressure of this distress over a larger space of time, and enable them to meet it with consequences less ruinous to themselves, and less destructive to the interests of the community.

"That your committee referred to the manner in which relief was afforded in the year 1793, and have

have found that the provisions of that measure, which, as appears by the report of the commissioners appointed on that occasion, was attended with the happiest effects, and the most complete success, are embodied in the act 33 Geo. III. cap. 29; and the committee are of opinion, that similar provisions should be adopted with regard to the relief at present proposed; that the amount of exchequer bills to be issued should not be less, nor would the committee recommend that it should be more, than 6,000,000*l.*; and that, considering the probable date of the returns of trade from South America, a greater interval should be given for repayment than was allowed in 1793, the committee being of opinion, that the time for payment of the first quarter's instalment should not be earlier than the middle of January next, and that the remainder of the sum advanced should be required to be repaid by three equal payments, from three months to three months, so that the whole should be discharged in nine months from the payment of such first instalment."

It might naturally have been supposed, that in the midst of so much pecuniary embarrassment and distress, the money voted by parliament, at the recommendation of the committee, would have been eagerly sought after and soon exhausted. Such was the case in 1793: the reverse, however, happened now; and this circumstance afforded an additional proof, if it were wanted, that the commercial distress of the two periods differed essentially in their character and causes. In the year 1793 the merchants eagerly pressed forward to participate in the loan granted them by government, because they knew

their embarrassments were merely temporary, and that, if they could proceed and keep their ground for a short time, they would be able to get back into their accustomed risk of trade: whereas in 1810 and 1811 few merchants, comparatively speaking, applied for the money voted by parliament, because they believed that when it was to be repaid, they would not likely be in a better and most probably would be in a worse condition, in respect to their trade and command of capital.

There were, however, other symptoms of the unprecedented state into which the commerce and credit of this kingdom had fallen, which could not be mistaken, especially when viewed in connection with the distress of the merchant and the manufacturer. We have already in our former volume entered pretty much at length into the question respecting the alleged depreciation of the currency: this year witnessed a still further depreciation; or, without involving and supporting any theory in the mode of expressing what took place, the fact may be simply stated, that this year the difference between the market and the mint price of gold and silver bullion increased regularly and considerably. When the bank of England first stamped the dollar, and issued it as a token of five shillings, its intrinsic value, that is, its value rated according to the market price of silver, was somewhat about four shillings and sixpence. So long as this difference of about 10 per cent. existed, the stamped dollars were kept in circulation; but by degrees the price of silver bullion rose, till at last the value of the stamped dollar, as silver, became higher than the value at which the bank had issued

issued it. Under these circumstances, the melting of the stamped dollar, or the selling of it as silver bullion, became an object of lucrative trade, and they consequently began to disappear very fast. The bank of England, therefore, found themselves under the necessity of raising the nominal and current value of them, above their intrinsic and bullion value, by a public notice that they would henceforth issue and receive them as equivalent in value to 5*s.* 6*d.*

To most people of plain common sense, this raising of the current value of the stamped dollar would have appeared as a practical proof of the justice of the opinion of the bullion committee. Every rise that took place in the nominal value of the coin of the kingdom, of course increased the difference between the value of bullion and of bank notes: and this difference itself, from whatever causes arising, was in itself the consequence and the proof of the depreciation of the latter. This at least is certain, that the circumstances which have occurred respecting our coin, could not have occurred unless the bank restriction had existed. The bank of England, towards the close of the year, followed up the principle it had adopted with regard to raising the value of the stamped dollar, by issuing what they called tokens for three shillings and for eighteen-pence. The following curious facts, occasioned by the present state of British currency, deserve to be recorded, and may be of use to the historian at some future period:—

£. s. d.

A guinea made of standard gold, weight 5 dwts. 9 grs. passes by law for only . 1 1 0  
The same, three grains

lighter, is worth as bullion . . . . . 1 5 6

A crown piece, made of sterling silver, weight 19 dwts. 8 grs. passes by law for only . . . . . 0 5 0

A bank-dollar, weight two penny-weights *less*, and the silver  $2\frac{1}{2}$ *d.* an ounce *worse*, is current for . . 0 5 6

A half-crown piece of sterling silver, weight 2 dwts. 16 grs. passes by law for only . . . . . 0 2 6

A bank token, weighing five grains *less* and the silver  $2\frac{1}{2}$ *d.* an ounce *worse*, is current for . . . . . 0 3 0

The lesser bank token of eighteen-pence weighs 1 dwt. 2 grs. *less* than a shilling and a sixpence, and the silver is also  $2\frac{1}{2}$ *d.* an ounce *worse*.

That the consequences from such a state of the currency, and from the interference of the government and of the bank of England in it, have not produced the same disastrous consequences in this country, as history informs us were produced in other countries from similar causes, must be ascribed to the firm footing and extensive range which commercial credit has here, to the confidence which all ranks repose in the honour and stability of government, and to the immense *real* wealth which our mercantile men possess: but to maintain that, notwithstanding these supporting and resisting causes, the country is not really injured by the present state of its currency, would be as wise and well founded as to maintain, that intoxication and debauchery did not injure a person of a strong constitution, because they did not occasion in him that weakness and want of health which they produced in men of ordinary or weak frames.

We



We have already, in our former volume, entered so fully into the question respecting the alleged depreciation of our currency, in considering the report of the bullion committee, that we shall not here resume the subject, but merely refer our readers to the long, laborious, and very interesting debates, both in the house of lords and in the house of commons, to which this report gave rise. In them they will find almost every thing that ingenuity and knowledge of this most intricate and important subject can bring forward, on both sides of the question. The minister considered the majority, with which he carried through the opinion and resolutions of Mr. Vansittart, in opposition to those of Mr. Horner, as so triumphant, that he declared the question was set to rest. This assertion, however, proved not to be well founded.

Some time before the session of parliament closed, lord King sent a notice to his tenants to the following effect. After reminding them that, by their leases, they had agreed to pay their rents in good and lawful money of Great-Britain, he informs them that, in consequence of the late depreciation of paper-money, he can no longer accept of any bank-notes at their nominal value in payment or satisfaction of an old contract. He therefore calls upon them to provide for the payment of their rents in the legal coin of the realm: but, at the same time, as he declares himself to have no other object in view but to receive payment of the *real* sums for which they took their farms, and is desirous to avoid giving them unnecessary trouble, he puts it in their option to discharge their rents, 1st, by payment in guineas: 2dly, if they cannot procure guineas, by a

payment in Portugal gold coin equal in weight to the number of guineas requisite to discharge the debt: or, 3dly, by a payment in bank paper of a sum sufficient to purchase (at the existing market price) the weight of standard gold requisite to discharge the rent. For their guidance, if they preferred the last mode of paying their rents, he lays down the following rule. In the year 1802, when the leases were entered into, the price of gold was 4*l.* per ounce; the market price at the time lord King gave this notice was 4*l.* 14*s.*: this difference arose, the noble lord contended, from the diminished value of paper: in that proportion, therefore, an addition of 17*l.* 10*s.* per cent. in paper money will be required, if the rents were paid in paper money.

This notice does not appear to have attracted any attention, or created the least alarm, till lord Stanhope mentioned it in the house of lords. His lordship considered it as so unjust in itself, so much calculated to shake the credit of the currency of the country, and the example it set so likely to be generally followed by landlords throughout the kingdom, that he deemed it his duty to bring in a bill to prevent guineas being taken for more than their mint value, and bank of England notes for less than the value expressed upon them. The fate of this bill was very extraordinary: it was brought into the house of lords at a very late period of the session, when, in fact, all important business was dispatched and cleared away, and only some routine matters remained to be finished. Many members, both of the house of lords and of the house of commons, had left town for their country seats, not expecting that their further attendance

ance would be necessary. The session having commenced much earlier than usual, in consequence of the king's illness, and having been occupied in several very important and protracted discussions, besides that on the regency bill, it was not expected that ministers would lengthen it, unless some unexpected business of the highest importance came before parliament.

When lord Stanhope gave notice of his bill, it was not supposed that it would be supported by ministers; much less that, in order to pass it into an act, they would postpone the prorogation of parliament. On the first reading of it, ministers opposed it, on the ground that it was unnecessary; and that, unless great and manifest necessity existed, it was much safer and wiser, not to interfere in matters of this description. Even at the commencement of the debate, on the second reading, some of the lords, who generally spoke the sentiments of ministers, still objected to it, as unnecessary, and as likely to produce mischief instead of good. While, however, the debate was going on, the sentiments of ministers underwent a sudden, unexpected, and complete change: whether the facts and arguments adduced by lord Stanhope brought them over to his opinion, or whether they had gained information they did not previously possess, on the probability that lord King's example would be followed, certain it is, that before the termination of the debate on the second reading they supported the bill, and not only supported it, but, in order that it might pass with more *éclat*, and might be more effective, they took it out of lord Stanhope's hands, and with some additions and alter-

ations carried it through both houses of parliament.

Before we enter on the consideration of lord King's conduct, and inquire how far, and in what respects, the bill of lord Stanhope is likely to protect the currency of the country, we shall notice another curious circumstance connected with the debates to which it gave rise in parliament. By a reference to the debates, our readers will perceive, that those who had, in the beginning of the session defended the report of the bullion committee, and contended with them that our paper currency was depreciated, laid their finger on this bill of lord Stanhope, as a virtual acknowledgment on the part of ministers, that there was an actual depreciation of the currency. In enforcing and illustrating their arguments on this point, they maintained that a currency, which required for its credit and support the aid of legislative enactments, and the terror of the law, could not be in a sound and healthy state; and they called to the recollection of ministers the celebrated speech of marquis Wellesley (then earl of Mornington) which laid the foundation of the honours and emoluments of himself and all his family; in which, attempting to prove that France, being on the very verge of national bankruptcy, could not carry on the war for many months, he adduced the enactment of penalties against those who preferred gold to paper, or refused to take the assignats at their nominal value, as a demonstration that the assignats were depreciated. This, however, like all arguments *ad hominem*, and all arguments that proceed from and partake of a party spirit, possessed little

little real strength, considered as a taunting and triumphant appeal from the opposition to ministers. The latter might safely and easily have retorted, with equal effect and triumph, that the opposition were now adducing facts and arguments, in support of the alleged depreciation of our paper currency, which, when they were brought forward by the earl of Mornington to prove the depreciation of the French assignats, they had ridiculed as absurd, and rejected as inapplicable and weak.

Having thus cleared away all adventitious and extraneous matter connected with this subject, we shall now proceed to the consideration, first of lord King's conduct in the notice he gave to his tenants; and secondly, of the bill brought into the house of lords by lord Stanhope, and carried through by ministers.

The conduct of lord King in the notice he gave to his tenants stands a poor chance of being considered calmly, dispassionately, and candidly. There are two classes of people, who will not be able, or disposed, to consider and investigate it in this manner: in the first class may be comprised all who are liable to have the same notice given them as lord King issued; that is, the numerous class who hold property on lease, and are bound by their lease to pay the rent in the good and lawful money of Great-Britain. Whether their disposition to view the conduct of lord King with a hostile eye proceeds from any real injustice which it threatens to them, or from some other cause, will be afterwards investigated. Under the second class may be comprised all who know that their own individual interest,

or believe that the interest and well-being of the nation, depends upon the unshaken credit of bank of England notes. These, of course, would regard lord King, either as injuring them individually, or as the enemy of his country. Indeed, he was (and it was natural to expect that he should be) held forth, by all who opposed him, as doing mischief to his country; some alleging he did it intentionally, and from motives of self-interest, while others gave him credit for pure motives.

Under these circumstances, it will be proper and necessary, in order to get as near the truth and justice of the case as possible, to examine lord King's conduct, first, as legal; secondly, as just; thirdly, as prudent; and lastly, as patriotic.

The substance of what can be urged under the first head is very brief: by the terms of the leases, which his tenants signed, and by which they held their farms, they were bound to pay their respective rents in good and lawful money of Great-Britain; and in case they did not, the right of re-entry and of ejectment was expressly given to lord King. As therefore, at least before lord Stanhope's bill, bank of England notes were not good and lawful money of Great-Britain, lord King's conduct was perfectly legal in issuing the notice he did, and would have been so if he had acted upon it.

The question respecting the justice of lord King's conduct on this occasion requires a wider field of investigation, but is not, however, less susceptible of a decisive and satisfactory solution. The leading principle on which lands are rented by farmers is, that the landlord should receive a certain proportion of

of the money for which the produce sells. After deducting all the expenses, and the regular interest for the capital which the farmer employs, this surplus is divided between the landlord and the farmer, because the land belongs to the first, and the skill, labour, and risque belong to the latter. The proportion of this nett profit to be given to the landlord will depend on the competition, among the farmers of the particular district, for farms. When the tenants of lord King agreed to take his land at so much rent per acre, we shall suppose 20s. per acre, they reckoned upon the gross value of the produce of their respective farms averaging the value of the different crops it was their intention to put upon it, amounting to a certain sum; of which sum, after deducting all expenses, they agreed to give lord King a certain proportion. The rent to be paid was stipulated to be in the legal coin of the kingdom. There was one circumstance certainly in favour of the tenants, that money was gradually decreasing in value; or, in other words, that the produce of their farms was gradually rising in price. Against this gradual fall in the value of money lord King had no remedy or resource, so far as it was a fall in the value of that kind of money in which the terms of the lease stipulated that he should be paid. If this kind of money, during the currency of a lease of fourteen years, had fallen so much that at the end of that period the rent of one acre, or 20s. would only purchase one fourth of a quarter of wheat, whereas when the entry to the farm took place it would purchase one half of a quarter, it is evident with respect to lord King, that though at the end of the four-

teen years he would receive the same nominal income from his land, yet in fact the real income would be only one half, considered with reference to its command over the purchase of wheat. Whereas, with regard to the tenant, he would in fact pay only one half of the real rent stipulated to be paid.

Let us now consider the question with direct and strict reference to the terms actually agreed upon by lord King and his tenants: they stipulated to pay their rent in good and lawful money of Great-Britain: while the notes of the bank of England were equivalent in value to this good and lawful money, lord King had no objection to receive them in payment of his rent; but whenever the difference between their respective values became very great, he demanded to be paid in gold, or in bank notes according to their depreciation compared with gold; so that, supposing the depreciation to have been 10 per cent. he would have demanded 22s. per acre instead of 20s. This, it is alleged, is unjust to the tenant. On the mere statement of the question, and if the terms of it alone are regarded, it certainly would be pronounced unjust; but what is the fact? Let us suppose that the produce of the farm continues the same; and that, when it was first taken, the farmer stipulated and expected to pay a certain proportion of the produce: so long as that production is paid, he certainly is not injured, nor does any thing happen which he was not prepared to expect. He gives indeed bank of England notes to the amount of 22l. for the rent of twenty acres, instead of giving only 20l.; but he purchases the greater sum by exactly the same quantity of produce by which he formerly purchased

purchased the lesser sum (if, in order to put the case strongly, we may talk of purchasing money), and his landlord gets no more for this nominal increase of rent, than he formerly did for the exact sum stipulated by the lease to be paid. Here then is no real benefit derived by the landlord, and no real injustice or loss sustained by the tenant.

Upon what principle of justice or equity ought the landlord to put up with a diminished rent, if the remedy is within his power, and if in the exercise of that remedy he injures nobody? The tenant by his situation is put beyond the power of being injured in his property by the depreciation of paper money; or indeed by the depreciation of the *legal* and bullion money of the country: if in consequence of its depreciation he is obliged to pay more for what he purchases, he also is enabled to get more for what he sells. But it is otherwise with the landlord: as was before remarked, the natural and unavoidable course of things is against him, and his property is gradually suffering from causes not springing from the conduct or connected with the interest of any set of men: losses arising from these causes, from the regular but slow depreciation of metallic money, he must put up with: and he has this consolation, that as this depreciation cannot take place unless there be an additional quantity, and this must be supplied by additional industry and labour, the circumstances that bring injury to him, are productive of good to his fellow-creatures. But when the value of his property falls more rapidly than he had anticipated, and when he knows that this depreciation is brought about, not by mere metallic money, the fruit of labour and

industry, being brought into the market; but by the introduction of paper money; it becomes his duty, as well as his interest, to guard himself, if he possibly can, against this evil. He knows not to what extent it may go on: he is well assured, when labour and industry are necessary for the production of any commodity, that commodity will be produced only so long as the labour and industry exerted get their due reward: he has therefore no great apprehension of suffering from a very great and rapid influx of metallic money. But it is quite different with paper money: its issue requires no industry or labour; and therefore the check, which exists in the other case, is wanting here.

Lord King, therefore, was perfectly justified in demanding payment in gold, or in bank notes at their gold value, from his tenants: he was justified, as *they* by this mode paid him no more in reality than they had stipulated to pay; and as, otherwise, he must have suffered unfairly, while they were benefiting unfairly, from the depreciation of paper money.

It is not so easy to defend the conduct of lord King on the score of prudence; that is, if we consider prudence as looking to something more, and something beyond pecuniary benefit. It was the interest of such a numerous class of individuals, whose influence lies in so many directions and extends so far and wide, to misrepresent lord King's conduct; and his conduct in this respect, if not viewed in a very calm, comprehensive, and unprejudiced manner, was so susceptible of being misrepresented, that it may fairly be doubted, whether it would not have been more prudent in lord King not to have come

come forward on this occasion as he actually did.

But the deepest and most rancorous clamour against lord King attacked him on the score of patriotism: it was said, had he been a real patriot, he never would have set an example, which, if generally followed, would have ruined Great Britain, by bringing into discredit the notes of the bank of England. This accusation supposes two things, both of which may very fairly and reasonably be questioned: in the first place, that the existence, or at least the well-being, of the country depends upon the credit of the bank of England notes; and secondly, that, if the conduct of lord King had been generally followed, their credit would have been destroyed. And even allowing the truth of both these positions, it by no means follows, that lord King acted from unpatriotic motives in demanding from his tenants gold, or bank notes at their gold value, in payment of their rents.

If lord King believed that the paper system in its origin and consequences was detrimental to the country; if he was convinced that, unless the over-issue of bank of England notes was checked, not only would all fixed property become greatly diminished, but the actual resources and powers of the nation would be checked and confined; then was his conduct patriotic in the steps which he took. It is very foolish to rail against him, because, if he had succeeded in his object, there would have been much mischief and confusion: Wherever an erroneous system has been long acted upon, and has spread widely and struck deep root, it is impossible to attempt to eradicate it, without producing much partial and temporary evil: it will

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have wound itself round so many things, that they must suffer if it is touched! it will have spread its roots under such a wide tract of soil, that, if these roots are dug up, much ground must be injured for a season, and many useful plants must be completely destroyed; but nevertheless no wise, no really patriotic man would wish for its continuance, or prefer a positive and increasing evil to a partial and temporary one.

But though the conduct of lord King may be justified, and even applauded, on the ground of its being just and legal, and of its proceeding from pure and patriotic motives; yet, if we view it with reference to the probability of its producing any real good, we shall be disposed to wish that it had not been followed. The evil which lord King proposed to remedy, and of the existence of which all parties are sensible, is beyond the means which he pursued. The result, therefore, of this investigation into the noble lord's conduct will probably amount to this, if it be viewed with candour and acuteness: that no serious and lasting consequence, either of a beneficial or injurious nature to his country, would have ensued from it.

The motion of lord Stanhope, it is evident, must depend, for its character of wisdom or folly, of rash and uncalled for interference, or of patriotic and necessary legislation; on the probable consequences of the conduct of lord King. No maxim, in the political world, can be more generally applicable, or better founded, than this, that legislative interference, where it is not called for, is injurious: it cannot be of a neutral and harmless character: where it does no good it must do mischief: and this

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maxim

maxim applies with the greatest propriety and force to all legislative interference in those things which are naturally regulated by the self-interest and worldly prudence of mankind,—to all interference, on the part of government, with every branch of political economy,—and most especially to that branch of political economy which concerns the circulating medium of a state, where that circulating medium depends entirely on public credit. Lord Stanhope's motion, we conceive, was not called for: it could do no real good; and it might do much positive mischief. His bill, and all measures of a similar nature, may be compared to build-ings erected across a river to prevent a stream, constantly accumulating and increasing in force, from carrying all before it:—they may delay the ruin; but, as they serve to delay it, they also serve to swell the stream; and therefore, when it does burst, they will assuredly render its destructive power more dreadful and extensive.

We have had occasion, more than once, in our former volumes, to advert to the system of licenses. The national evils and the individual hardships resulting from it were this year, amidst the distress of our commerce, so great and manifest, that the merchants of Hull drew up and presented to the board of trade a very spirited memorial on the subject. It appears, indeed, very contradictory and absurd to have issued, and to be acting upon, the orders in council, in general, and yet to be constantly infringing these orders by the granting of licenses. The spirit and intention of the orders in council first issued in 1806, and so often since modified and enforced, were to prove to France that we could do without

trade to the continent; but that she could not do without the colonial produce and manufactures of Great Britain. This country set out with a proud bravado, that if the comparative strength of Great Britain and France were to be tried by their respective ability to do without trade and commerce, we were willing to enter the lists; and not only to enter the lists, but actually to assist France in carrying her views and intentions into execution. Our ministers exclaimed, that France would be the first to yield, while this country would come out of the trial untouched. What then ought to have been their conduct? Most assuredly, they should have prohibited all commercial intercourse with France: instead of this, while Bonaparte would not admit our colonial produce or manufactures, they granted licenses for the importation of French produce. At present, we shall say nothing against this system of granting licenses, on the ground of the patronage it puts in the hands of ministers. There are sufficient objections against it in a commercial point of view; and these objections increase in number as well as force, from the peculiar situation in which the commerce of Great Britain is now, and has been for the last two years, placed.—Though the primary and controlling cause of the high price of gold and silver, we are convinced, arises from an over-issue of paper money, yet this evil, undoubtedly, is increased by the necessity we are under of purchasing the commodities of our enemy with bullion, instead of interchanging them for our own commodities, as formerly. While this traffic is continued, France suffers very little, whereas we suffer greatly: but this traffic could

could not be carried on unless licenses were granted. If, therefore, our ministers still adhere to the opinion, on the strength of which they issued their orders in council, that France would suffer much sooner, and much more deeply, than this country, from the cutting-off of commercial intercourse, why do they keep it up?—why do they not make the enemy feel the full pressure of his own system by the only effectual mode, the absolute prohibition or cessation of every species of trade with him? It may justly be suspected that ministers are suspicious of the truth and soundness of the opinion they advanced: indeed the very circumstances on which we build our claim to superior manufacturing skill and perfection, if examined closely, will be found to prove that England must suffer more than France from the interruption or destruction of commerce. In this country, the load of the national debt, and the expenditure, rendered it necessary that the labour of every man, who does labour, should support not only himself, but also contribute to the fund from which the debt is paid, and the expenditure defrayed. If, therefore, by the stagnation or destruction of commerce, the labour of an individual is interrupted, not only he suffers, but the national revenue is decreased; whereas, in France, if the labour of an individual is cut off by the stagnation of commerce, the evil does not spread nearly so wide. We certainly ought, however, to adopt and carry through one sy-

stem; either to exclude entirely all commercial intercourse with France, or to put it on its old footing: in every point of view, the wavering system of licenses is bad, and in no respect worse than as it creates a suspicion that ministers are afraid of our revenue suffering; and thus affords Bonaparte reason for persevering in his plan of excluding our produce from the continent.

From a review of the whole of our commercial history during the year 1811, it is impossible to draw any flattering or cheering expectations. There is yet no appearance that our trade will get back to its former flourishing state; while the produce of our taxes must decrease. Bonaparte, no doubt, has many evils to combat and suffer, while he is inflicting these wounds on our commerce, and these are occasionally so great, that he is obliged to relax, and depart from the rigour of his anti-commercial system: but the relaxation is only for a season; and as it creates more variation and uncertainty in the state of our trade, it may be questioned, whether, on the whole, it is of advantage to us. It is to be observed, too, that when the relaxation ceases, the prohibition is stricter than it was before; and that every year he can persevere in his scheme of excluding our goods from the continent, the continent will become more habituated to the exclusion, and Bonaparte will be more competent to devise methods to render the exclusion more complete.



## CHAPTER XI.

*History of Ireland during the Year 1811—Preliminary Observations—Importance of Ireland as a Part of the British Empire—Character of the Country—of its Inhabitants—Their Manners, Disposition, and Genius, as they appear to have been bestowed by Nature, and modified by Circumstances—Sketch of Ireland from the Period of the Termination of the American War—Its Efforts then to regain its Rights—Consequences produced on the Irish by the French Revolution—The Rebellion—Hopes of the Catholics alternately raised and depressed—Their Expectations from the Regent—from their Protestant Brethren.*

HAVING taken a comprehensive though brief review of those events, transactions, and circumstances which are connected with the domestic history of Great Britain during the year 1811, as they naturally divide themselves into such as respect the commerce, and such as respect the liberty and civil rights of the country, a most important but certainly not a pleasing or cheering task now remains. We allude to Ireland; to that portion of the empire, which, in every point of view, and at all times, may safely and justly be regarded as forming our great bulwark against the designs of the enemy; from which, if she is well disposed towards us, we may derive great advantage and assistance, if the hour of peril should come; and from which, if the minds of her inhabitants are alienated from us, much calamity, if not utter ruin, may, at the same hour of peril, be poured in upon us.

We are aware, that even in treating of the history of Ireland during the year 1811, especially if, as would be proper, we should preface the history of this year by a retrospect; and much more, if we indulge in those observations and reflections, and refer to those fundamental principles, without which

history is of little utility, and cannot school men into wisdom or happiness,—we are treading on delicate ground. We shall have many prejudices to encounter and overcome; we shall expose ourselves to obloquy and reproach. Party feeling and sentiment, regarding this country, is so strong and alive, so much on the alert and look-out to brand all moderate men with the opprobrious epithets either of enemies to liberty or enemies to Great Britain, that it is foolish to expect to escape without animadversion. But the task must be performed; and to perform it in the best and most effectual manner, in such a manner as shall at once present an accurate account of the state and proceedings of Ireland during the year 1811, and unfold the causes of that state and those proceedings, the real cause and seat of the evil, and the remedy for it, will require that we should go a little back, and connect what is the more immediate object of this part of our volume, with a very brief sketch of the state of Ireland since the close of the American war.

Before, however, we enter upon this sketch, we may be allowed to pourtray the character of the country and of the inhabitants; in order that by pointing out their value we  
may

may put in our apology for wishing, above all things and almost at any concession, to reap the greatest possible advantage from them.

The country of Ireland, whether we regard its soil or its climate, may vie in point of natural fertility with the richest parts of Great Britain. Nature seems to have formed it after her choicest model:—it is indeed, in many parts, disfigured by marshes and bogs; but where these do not exist, there is no drawback to fertility. When we reflect on the produce it actually yields; on the number of inhabitants it supports; on the stores of provisions with which it supplies our army and navy; and take into our consideration that all this is the effect not of superior industry, skill, and capital applied to agriculture, but that these are the unbought riches of nature, which she gives out with little or no assistance from man; and in many cases, even in despite of his ignorance, poverty, and sloth; we may form some faint and imperfect idea of what Ireland would be, were the industry, capital, and skill of the ablest British agriculturists applied to her lands. If we may be allowed, in forming this estimate of the character of the country of Ireland, to take into account the beauties of its scenery, and the mildness of its climate, as conducing to the health, the comfort, and the enjoyment of man, we shall still further regret that such a country is still in a state of comparative barbarism.

When we turn our thoughts and views from the consideration of the country of Ireland to the contemplation and study of her inhabitants, we are presented with still higher and more exalted proofs of the kindness of nature, and of the hostility of man. It is impossible to

sketch out the character of the Irish within a short compass, so as to do them justice, and render the picture distinct, complete, and like. They resemble no other nation under heaven: they have some of the features of most of the inhabitants of Europe: perhaps they come nearest to the French: but the gaiety and sprightliness of the Irish is not so heartless as that of the French. They manifest evident and undoubted proofs of great warmth of heart and openness of manners; they are eager to be well treated, not so much from a view to their own self-interest, as from an anxiety to have some object on whom they may pour out their expressions of gratitude. But they have also feelings nearly allied to those just described in their origin, but widely differing in their nature and effects. Warm and open in their friendships, they are impetuous and violent in their enmities:—in short, so far as manners and disposition are concerned, they may be deemed a people who have the elements of politeness and affection about them, which might easily and fully be called out by proper treatment and nurture; but, comparatively uncivilized as they are, they are either concealed, checked, or converted into harshness and violence.

It is hardly necessary to take much notice of a remark which is often in the mouths of those who are ill-disposed to the Irish. By such people the constant affrays in which the Irish are engaged; their fondness for quarrelling, riots, and bloodshed, and especially their avenging themselves in a concealed manner, by methods that to an Englishman appear dishonourable, are cited as proofs that the Irish are naturally bad: by naturally, they

mean irreclaimably !—But if such persons could be made acquainted with the history of their own ancestors, the English, three or four centuries ago, as completely and minutely as they are acquainted with the affrays of the Irish of the present day ; or if they will look abroad to the dispositions and characters of most of the nations on the continent of Europe, they will probably be convinced, that what they ascribe to nature, is the effect of circumstances ; and that, when the Irish are as far advanced in civilization as the English,—when the benefits of good government shall have been as extensively diffused among them as they are among us,—then all these blots in their character will vanish ; and though they will retain so much of their characteristic manners and disposition as will mark them out from the people of other nations, they will be stript of these marks of rudeness and barbarism.

If we turn from the manners and disposition of the Irish to their talents, we shall be led to estimate them still more highly. Perhaps it is no exaggerated praise to say, that if we would look for genius in its most ample and dignified sense, we must look to Ireland. The genius of her sons, indeed, like their manners and feelings, partakes of the effect of the circumstances under which it is placed. It is not highly cultivated, nor of the purest kind ; but wanting, as it does, the chastened effects of regular education, it on that very account rises to a higher pitch, and displays in a more ample degree the powers with which nature has gifted them.

Such are the Irish : there are, no doubt, many exceptions ; but this is the national character. There are great failings and great vices among them ; but there are also

great good qualities :—and be it remembered, that we may fairly and clearly trace much of what is bad to the work of man ; what is good is the bestowment of nature. Is it not therefore to be wished that we could make such a people our friends ?—the natural and spontaneous movements of their hearts are towards us. They beseech us not to cast them off ; they cling to us in spite of the ill usage they have received. And most assuredly, if our policy towards this country were to be founded either on justice, or even on a regard to our own interest, in its most confined and selfish acceptation, we might readily make them ours totally and for ever. But what has been the treatment this country has received from England ? Has it not been that of a conquered country ? Has not an ignorant and mean spirit of jealousy induced the British government to keep down, by all means, the natural advantages of Ireland ? Soon after the close of the American war, when Britain, exhausted, and bleeding at every pore, was unable to bear with her usual weight of oppression on Ireland, the Irish rose and asserted their rights. It has been said that this conduct was ungrateful and unmanly. When Britain can point out what acts of hers towards Ireland called for or deserved gratitude ;—when she can enumerate the benefits she has conferred on that country ;—the sacrifices she has made to promote her prosperity ;—the instances in which she has given her a share in the prosperity of the empire ; or even when England can prove that she has not done all in her power to keep Ireland down and stationary, and subservient to the meanest interests of England—then she may talk of gratitude. With respect to the

the manliness of the conduct, is it ever unmanly to seek to regain or acquire independence? and does not the charge come with a very bad grace from those, who in their whole system towards Ireland betrayed the most mean jealousy?

At the commencement of the French revolution, this event made an impression on Ireland, similar in its nature, but different in its degree and consequences, from what it did on the inhabitants of most other countries. This dissimilarity arose from several circumstances. In the first place, the Irish, conceiving themselves aggrieved and oppressed by the English, and concurring in the belief, at that time too common, that the French aimed at establishing their own freedom, and were anxious to assist other nations in becoming free and independent, looked forward to an alliance with them, as the easiest and most effectual way of throwing off the yoke of this country. In the second place, the catholics of Ireland naturally looked to the assistance of a people professing the same religion, as likely to put them upon a state of equality with their protestant fellow-countrymen: and lastly, the old connexion between France and Ireland, which had been preserved and kept alive by the great numbers of Irish catholics in the French service, gave to the French revolution a character and effect in Ireland which it did not produce elsewhere.

In sketching the conduct of England towards this country, we did not separate the catholic from the protestant inhabitants; on both it pressed heavily; but much more heavily on the former. Composing nearly three-fourths of the whole inhabitants,—the lineal descendants of those to whom formerly be-

longed the property of the soil, and the sovereignty of the island, though now, in a great measure, stript both of power and property, it is no wonder that they regarded the English with feelings of dislike. The English government, on their part, did not seem anxious to overcome this dislike on the part of the catholic inhabitants of Ireland. Statutes a disgrace to an enlightened and a civilized age were permitted still to exist; and though some of the most obnoxious were repealed, yet the repeal was performed with a very bad grace, and the catholics were given to understand that government still regarded them as, from the very nature of their religion, enemies not only of Britain, but unfit to be trusted with power.

Such being the state of Ireland in general, and of the catholic inhabitants of it in particular, it is rather a subject for lamentation than for wonder that they formed themselves into illegal associations, and invited over the French. On this part of the history of Ireland, every friend to humanity and freedom must wish to throw the deepest oblivion, both on account of what Britain did, and of what Ireland suffered. That there were many foolish and many traitorous inhabitants in Ireland at that time, none can deny; all were foolish (but their folly was almost excusable), who expected good from French fraternity and assistance; all were traitors who, under the pretence of liberating Ireland from England, meant to put her under the more dreadful yoke of France. Much, however, of what Ireland suffered, and of what Britain did, at this time, might have been avoided, or greatly softened, had not the ministry of Britain preferred strong to conciliatory measures. It is not

meant to be asserted, that when the rebellion broke out, strong measures were not justifiable and necessary; though even at that dreadful period they ought to have been resorted to with reluctance, softened where they could have been softened with safety, and abandoned at the very moment they became unnecessary. But it has been the misfortune of the British government, in its conduct towards Ireland, never to concede any thing material; to consider the request of the Irish in the light of a demand; and consequently, to refuse what is just, merely because it was asked in a manner they did not approve.

While, however, it is impossible for the impartial historian, or the friend of mankind, to approve of the principles on which the British government acted during this period towards Ireland, he must strongly censure the views and the behaviour of the leading men in that country. If they had in their contemplation the real benefit of their country; if this were their object, and not personal ambition and aggrandizement; or, what is infinitely worse, selfish and bought devotedness to France; they ill consulted the attainment of that object, by wishing to separate Ireland from Britain. If ever Ireland is made what nature intended it to be; if ever the Irish character rises to its just rank among mankind, it must be by a union with England: not, however, by the mere cold and formal union of their legislative bodies; but by a union of privileges, of advantages, and rights. When Ireland in the code of England, and in the estimation of her inhabitants, is regarded as much a component part of the empire as Yorkshire is, then will Ireland rise

to her level, and England receive all the benefit from the connection Ireland is so capable of bestowing.

Mr. Pitt, when he projected and carried into execution the legislative union between the two kingdoms, held forth these advantages, among others, as likely to result from it. The state of Ireland, especially as it was exposed to view during the rebellion, forced itself upon his mind; but either from a misconception of the cause of the evil, or from an inability to apply the complete and effectual remedy, he stopped short in his career of amendment. The mere circumstance of forming a legislative union between the two kingdoms, could hardly be expected to close those wounds which had been so long open; especially when this remedy was applied against the consent of the patient, who at the same time loudly called for that which would quiet his disaffection and satisfy his desires.

It is well known that Mr. Pitt went out of office, because he could not act towards the catholic inhabitants of Ireland in the manner he wished, and in the manner he thought would conduce to the tranquillity of the country, and satisfy the claims of justice. On this rock, too, the administration of lord Grenville split. These attempts to meliorate their condition rendered thus ineffectual,—the holding out of hopes which were not realized, could not fail to produce on the Irish character consequences highly detrimental to the peace of the country. These consequences, too, were increased, both in their degree and in their nature, from the well-known fact that the sovereign, from scruples of conscience, objected to carry into effect

fect those measures of concession which his ministers proposed on their behalf. The sovereign conceived that his coronation oath stood in the way of catholic emancipation; because that oath bound him to maintain and defend the constitution in church and state; and he conceived the very essence of the catholic religion to be hostile to it. It is impossible not to respect and venerate such scruples, while at the same time we may be allowed to lament that they did exist, and still more, that their existence was not ascertained before the hope of emancipation was held out to the catholics.

All these circumstances,—these hopes excited and again dashed to the ground, worked on the disposition of the Irish catholics: the country appeared tranquil, ministers indeed said it was so; and as they had maintained that any change in the administration of it, or any concessions, would be highly improper, while it was in a state of confusion and rebellion, so now they urged that, as it was quiet, there was no necessity for any change or concessions. But they either were misinformed, or they wished to deceive, in order to put off still further what ought to have been done long before. It is impossible for any country with such inhabitants as Ireland has, circumstanced as they are, to remain long quiet; and it may well be suspected that there is much more danger when it is apparently tranquil than when it is boisterous; at least, if danger actually exists, in the latter case it will be more easily and speedily detected and destroyed.

It is indeed highly probable that a conviction that the scruples of the sovereign could not be over-

come, and that therefore it would be useless, or worse than useless, to urge and press their claims till a new reign, kept back many of the most prudent of the catholics; But on others these circumstances and considerations seem to have had little or no effect: they maintained that their rights, or what they conceived to be their rights, ought not to yield or be sacrificed to the scruples of the sovereign's conscience, and, with more intrepidity than loyalty, pressed forward with increased eagerness and boldness in proportion as their grounds and hope of success were more feeble. It is not a difficult matter to find out excuses for this conduct; but though it may be excused, it cannot be defended: and though the purity of the patriotism of those, who, when there is no hope or chance of success, still persevere, may be undoubted, their patriotism must be pronounced rash and unwise. In the conduct of public affairs, as well as in the management of private transactions, he will on cool reflection be found to act the wisest part, who yields to circumstances; and though mankind may for a moment be dazzled at the intrepidity of him who sets circumstances at defiance, in their cooler moments they will not regard him with so much applause, as the man who comes forward or retires with his plans and requests as circumstances dictate.

It would almost appear as if the hopes of the Irish catholics were doomed to be alternately raised and depressed. The circumstance of the king's illness, and the consequent regency of the prince of Wales, again led them, to indulge the expectation that their requests would be granted. The party

party to which the prince had attached himself, and his character for liberality of sentiment, they fain flattered themselves, opened to them a brighter and more cheering dawn of hope than ever before was presented: the particular friends of the prince, especially the earl of Moira in the house of lords, and Mr. Sheridan in the house of commons, had always warmly espoused the claims of the Irish catholics. But again, at least for a season, disappointment clouded their expectations. The prince of Wales determined to keep in the ministers of his father, and declared his intention not to depart in any respect from the line of government which his father had pursued.

While the prince had such ministers, the catholics of Ireland thought they had ground for despair: the disciples of Mr. Pitt in every other respect, they only differed from their master in that point on which the catholics were most interested: he had wished to grant catholic emancipation; he saw no danger from it; he believed it would promote the tranquillity of Ireland and the happiness of the empire at large; but he gave up his desires and wishes on that point, because the sovereign was adverse to them: whereas the ministers whom the prince had resolved to keep in, declared themselves on principle adverse to the claims of the catholics; they did not scruple to oppose them on the ground that they were incompatible with the safety of the empire; they retailed all the assertions respecting the dangerous tenets of the catholics, which were calculated to keep alive and foster the popular prejudice against them. They had made Dr. Duige-

nan, certainly the most bitter though not the most able adversary of the catholics, a privy councillor of Ireland: while such men advised the regent, the Irish catholics could hope for no concession.

Such is a rapid and brief sketch of the Irish catholics' attempts and expectations, with regard to their emancipation. It will be seen that they were such as naturally to produce a great deal of irritation, but they did not produce despair. On the contrary, relying either on the justice of their cause, or on their strength, they persevered with increased zeal and ardour. There is indeed one circumstance from which they derived no inconsiderable degree of confidence and hope, in the midst of all their disappointments; we allude to the change which gradually and slowly took place in the conduct and sentiments of their protestant fellow-countrymen on the subject of their claims. On this point we shall enter shortly, before we come to the regular history of Ireland for the year 1811.

Till within a very short period, the protestants of Ireland, generally speaking, regarded their catholic neighbours with contempt, abhorrence, or suspicion: all the prejudices of ignorance and bigotry, as well as the just reasons for dislike to which the peculiar and distinguishing tenets of the catholic religion must always give rise in the breasts of all rational men, and all friends of liberty and happiness, operated most powerfully on them. The relative circumstances in which they were placed, no doubt tended in no slight degree to augment and confirm this animosity. If the catholics looked upon the protestants as having usurped their property,

property, and as having come into Ireland as strangers and aliens, where now they were in possession of full authority; the protestants, on the other hand, regarded the catholics as the natural enemies, from the very circumstance and operation of their religion, of their sovereignty and their country. As the catholics conceived themselves to have been harshly and unjustly treated by the British government, they naturally considered those who espoused the cause of that government, who were its favourites, and who besides in many instances had been made the instruments of what they conceived its unjust proceedings, with sentiments of alienation and dislike.

For a long time, too, the protestant inhabitants of Ireland were convinced that, if the claims of their catholic countrymen were granted, not only would their property and perhaps their lives be unsafe, but the well-being of the country would be completely and radically destroyed. Even those who did not apprehend dangers of such serious and overwhelming magnitude, from granting the requests of the catholics, could not perceive why they should be granted on the score either of justice or policy: they lived for a long time in a country which had been torn to pieces by the disaffection and discontent of the catholics, and yet they were slow and unwilling to perceive, that not only justice but policy called loudly for the quieting of this disaffection and discontent.

But the cause of the catholics at length made its way into the understandings and the hearts of their protestant countrymen, in spite of prejudice, alarm, and bigotry. The state of Ireland indeed was such, that it was impossible for the most

blind or inattentive not to perceive, that unless some change took place the country could never prosper. In England a most lamentable ignorance has ever prevailed respecting the state of Ireland, respecting the dispositions of its inhabitants, and the improvement of which they as well as their country are capable. But this ignorance could not exist with those who lived in Ireland: they saw the extent of the evil which threatened them; they saw it advancing gradually year by year, and almost day by day; and though some of the protestants might still feel some of their old alarm and prejudices respecting the catholics lurking in their breasts, yet their alarm for the safety of their country, being much more powerful and more constant in its operation, drove the former from their thoughts.

Thus it happened that the catholics perceived their cause advancing more rapidly among their protestant fellow-countrymen than with the British government. In consequence of this, the principal nobility and gentry of the latter persuasion, in almost every county of Ireland, gave their countenance and support to the catholic claims: they did not merely come forward with the declaration, that in their opinion justice demanded that their claims should be complied with, and that no possible harm to the country could ensue from such compliance in its fullest sense and extent; but they expressly and unequivocally declared their firm conviction, that the safety of Ireland depended upon the granting what the catholics asked. It appeared impossible to suspect the motives or objects of the protestants, when they came forward in that manner; when they petitioned government, that



that all their exclusive privileges might be abrogated; that the catholics might be put upon the same footing with themselves. The motives and the intentions of the catholics might be suspected, those of the protestants could not.

But the cause of the Irish catholics was mainly strengthened by the union of their protestant brethren, in another point of view; it served to do away one of the strongest prejudices against them: when those who were their fellow-countrymen, who had the best opportunities of becoming intimately acquainted with the influence which the catholic religion actually produced on their minds and conduct, called for their emancipation, could it any longer be believed that it would be unsafe to grant this boon, because the catholics were bound or induced by their religion to keep

no faith with heretics; or, because their object was to destroy all protestants? Were not such prejudices of that absurd character, that, where they are deeply rooted, not even the experience of ages will tear them up, assuredly they would give way to the testimony of such facts.

Thus, then, the cause of the catholics stood in the beginning of the year 1811: their expectations were raised by the circumstance of the prince becoming regent, but damped by his retaining his father's ministers: under this discouraging circumstance, however, they were encouraged to hope and to persevere, as they saw their cause gaining ground among those who now knew them best, though these very persons, become their coadjutors, had not long before been their opposers and enemies.

## CHAPTER XII.

*Meetings appointed to choose Delegates—Mr. Pole's Letter—Remarks on it—Proclamation—Meeting of the General Committee of the Delegates—Arrest of some of the Members—Discussion respecting the Right of challenging the Grand Jury—Trial of the Delegates—Speech of the Attorney-General—of the Counsel for the Accused—Charge delivered by the Chief-Justice—Acquittal of the Accused—Rejoicings on the Occasion—Remarks on the Convention Act—on the System of Conduct pursued by the Catholics—on the Necessity of a Convention Act—Arrest of Earl Fingal and Lord Netterville—Concluding Remarks.*

IT is well known that the situation of lord lieutenant of Ireland is one rather of form and rank, than of real authority and power; and that the secretary of the lord lieutenant for the time being is in reality the person who governs that kingdom. This latter situation was held during the year 1811 by Mr. Wellesley Pole, a bro-

ther of the marquis of Wellesley. It was difficult from this circumstance to infer exactly what would be the line of conduct pursued with respect to Ireland. That where vigour was necessary, or deemed necessary, it would be applied with an unsparing hand, the tone of mind, as well as the uniform disposition, of all the Wellesley family led

led to expect; while, on the other hand, as the marquis was supposed to be rather friendly to the cause of the catholics, it might fairly be anticipated, that, while his brother held the situation of secretary to the lord lieutenant, their proceedings respecting their emancipation would not be interrupted.

All doubt however, if doubt there existed, was soon utterly removed; for on the 12th of February Mr. Wellesley Pole addressed a circular letter to the sheriffs and chief magistrates of all the counties, to the following purport: That it having been represented to government that the Roman catholics were to be called together, for the purpose of appointing persons as delegates, representatives, or managers, to act on their behalf, as members of an unlawful assembly, sitting in Dublin; and calling itself the catholic committee; the magistrates were required, in pursuance of the act of the 33d of the king, c. 29, to cause to be arrested and committed to prison (unless bail should be given) all persons who should be guilty of publishing any notice of the election and appointment of such delegates, representatives, or managers, or of having attended any meeting for the choosing of them.

This circular letter of the secretary was immediately noticed, in the house of lords and house of commons, by earl Moira and Mr. Ponsonby: at that time ministers were not in possession of the information and circumstances on the strength of which it had been written; but, from what they did know, they declared that they felt themselves inclined to approve and justify it. It afterwards appeared, that a circular letter of Mr. Edward Hay, secretary to the committee of the

Irish catholics, dated the 1st of January 1811, had given rise to this measure of Mr. Pole's on the 12th of February.

The first point of difference and dispute between ministers and the opposition on this subject regarded this letter of Mr. Wellesley Pole: by the latter it was contended, that the secretary had misconceived or misrepresented the act of the Irish parliament of the 33d of his majesty; that, by this act, all those who were sitting in an unlawful assembly were to be proceeded against in a particular manner. It required the mayors and justices of the peace to disperse them; but it did not say, as Mr. Pole maintained and ordered in his letter, that they should be committed or held to bail. It indeed proceeded to declare and enact, that, if resistance were made, the individuals so making resistance might be apprehended, and, if convicted, were to be deemed guilty of a misdemeanour: but, unless resistance were made, this act of parliament did not authorize the magistrates to commit or hold to bail, merely for assembling in the way mentioned in the letter of the Irish secretary. It was further urged by the opposition, that, by the common law, there were only three grounds on which persons could be held to bail, namely, treason, felony, or breach of the peace: as therefore neither the particular statute, nor the common law, authorized the magistrates to hold to bail, Mr. Pole, it was contended, had gone beyond what was legal. Another objection was also brought forward against this letter; that, whereas the act declared, that "if any person shall vote or act for the purpose of appointing delegates," the letter of the Irish secretary comprehended

prehended as coming within the statute, not merely those who voted or acted, but also those who *attended*; though it was evident, that many might attend such meetings for a purpose directly the reverse of the ostensible object: they might come there to oppose the proceedings, to state their objections, and to dissuade them from their purpose. To these objections on the part of the opposition, no very direct or satisfactory answer was given; and it was even allowed by the lord chancellor that the letter of Mr. Wellesley Pole was drawn up in a very slovenly manner. But there was another objection urged against the letter, which struck at it more deeply: the opposition maintained that it was beyond the authority of the secretary to the lord lieutenant of Ireland to call upon the magistrates to enforce the convention act; that this ought to have been done by a proclamation issued by the lord lieutenant himself.

These differences however were trifling, and the discussions to which they gave rise comparatively of little importance: they were soon swallowed up in the subsequent proceedings of the Irish catholics, and the consequent measures of the Irish government.

The feeling and disposition of the protestants towards their catholic brethren at this crisis were very manifestly friendly: meetings for the purpose of appointing delegates were held in almost every county, and yet there was scarcely a single instance of the magistrates' interference; and some of them even went so far as to promise the protection of their official authority to such meetings as might be molested.

On the 9th of July a "meeting

of the catholics of Ireland" was held in Dublin, at which resolutions to the following purport were passed:—That a committee of catholics be appointed, in order to frame petitions for the repeal of the penal laws, and to procure signatures thereto in all parts of Ireland; that this committee consist of the catholic peers, of their eldest sons, the catholic baronets, the prelates of the catholic church in Ireland, and also ten persons to be appointed by each county in Ireland; and that it be recommended to the committee to resort to all legal and constitutional means for maintaining a communication of sentiment and co-operation of conduct amongst the catholics of Ireland. In consequence of this meeting and these resolutions, a proclamation was issued by the lord lieutenant and council of Ireland, in which these resolutions are enumerated, and a section of the convention act quoted: the proclamation then goes on to declare it to be the intention of government to enforce the penalties of the law against such persons as should proceed to elect deputies, managers, or delegates, to the catholic committee. Mr. Pole, the Irish secretary, before this proclamation was issued, had an official interview with the earl of Fingal, who took the lead in these proceedings of the catholics, for the purpose of convincing him of the illegality of their proposed meeting,—but without effect. On the day subsequent to the appearance of the proclamation, a special meeting of the general committee of the catholics was held in Capel-street, Dublin, the earl of Fingal in the chair; when it was resolved, That this extraordinary meeting is held in consequence of the proclamation; that the committee, relying on the con-

constitutional right of the subject to petition, and conscious that they are not transgressing the laws, do now determine to persevere in the course they have adopted, for the "sole, express, and specific purpose" of preparing a petition to parliament, for their full participation of the rights of the constitution; that the committee will never meet "under pretence of preparing or presenting petitions," but for that purpose alone; and that the last clause of the convention act recognises the right of petitioning secured by the bill of rights, in these words: "provided also that nothing herein contained, shall be construed in any manner to prevent or impede the undoubted right of his majesty's subjects of this realm to petition his majesty, or both houses or either house of parliament, for redress of any public or private grievance."

After these resolutions past in consequence of the proclamation of the lord lieutenant and council of Ireland, it was to be expected that the members of the Irish committee would regularly meet, and proceed as if no such proclamation had been issued: as they doubted of the application of the convention act to their case, they appeared determined to try the question: it is indeed not improbable that they might imagine the Irish government would not act upon their proclamation. If this were their idea, they were mistaken; for on the 9th of August, five gentlemen, who were present at the election of delegates in Liffey-street chapel, were arrested, and carried before the chief justice of the king's bench, on the charge of being elected delegates, or being present at the election, and aiding and assisting therein.

The meeting of the general committee of delegated catholics took place in Dublin on the 19th of October: 300 delegates were assembled from all parts of the kingdom. Lord Fingal was called to the chair. A petition to parliament was moved by lord Netterville: after it was read, lord Fingal put the question, whether it should be received as the petition of the catholics of Ireland; which was carried unanimously. A motion was then made that the meeting should adjourn until one fortnight previous to the meeting of the imperial parliament; which was also carried unanimously. Immediately afterwards the members began to disperse; when two magistrates entered,—but finding that the assembly was dissolved they could not act.

By the arrest of the delegates at the meeting in Liffey-street chapel, the question whether the convention act applied to the catholics was in a train of being legally decided. It came on accordingly in the court of king's bench in the month of November: on the 6th of that month, as the proper officer was beginning to read the panel of the grand jury of the city of Dublin, the counsel for one of the arrested delegates moved the court for a copy of the information sworn against his client: this however was not granted: he then moved that "triers" should be appointed to try and determine, by legal evidence, whether each person on the panel, who held places of emolument under the crown, and who were removable at pleasure, were such as the law required, namely *probi et legales homines*: this motion also, having for its object the right of the panel to challenge the grand jury, the court, after long and solemn hearing of the counsel on  
both

both sides, overruled. The grand jury were then sworn, and returned a true bill against the delegates.

In the mean time the catholics were not intimidated: on the contrary, resting, it may be presumed, on the justice of their cause, the five delegates who were first arrested brought, respectively, their actions against the lord chief justice. Two months notice required by the statute had been served in September; which having expired in the beginning of November, on the 20th of that month the chief justice was served with five writs of *habeas corpus*; the damages, in each action, being laid at 5000*l*.

On the 21st of November the trial of Dr. Sheridan, one of the alleged catholic delegates, who had been arrested subsequently to the meeting in Liffey-street chapel, came on in the court of king's bench. Thirty-three jurymen answered to their names, and appeared in the jury box; of these twenty-two were challenged by the crown, and none by the traverser. As this was a trial of the utmost importance, not merely as bringing to issue the disputed point respecting the application of the convention act to the catholic delegated meeting, but as forming a most material and leading feature in the history of Ireland, we think it right to give the speech of the attorney general, and of the counsel for Dr. Sheridan, as well as the charge of the chief justice, at full length, in order that the arguments for and against the point in dispute, as well as the opinion of the court, may be accurately and fully known; reserving for subsequent remark, what occurs to us on these arguments and this opinion.

After the junior counsel for the

crown had opened the pleadings, the attorney general addressed the jury to the following effect:

I congratulate you, gentlemen of the jury, that the long expected day of justice has at last arrived; and am sanguine that the result of this day's proceedings will frustrate the designs of treason, and give a check to the disguise of faction and folly. The case itself lies in a narrow compass, both with respect to the law and the fact; it is, however, connected with such a variety of matter, that I must trespass upon your patience much longer than I could wish. I hope the issue of it will restore our peace, allay the discontents and abate the ferment which prevail in this country. Treason and disaffection, gentlemen of the jury, have been but too successfully exerted, in influencing the minds of the Roman catholics of Ireland; and the project of a convention was detailed in resolutions of a certain aggregate meeting assembled in this city on the 9th of July last. The aggregate meeting sprang from a resolution of a committee, which for 18 months had acted a distinguished part, under the name of the general committee of the catholics of Ireland. When I talk of treasonable views bottomed in treason and rebellion, let me not be misunderstood. A great proportion of Roman catholics are loyal, and amenable to the laws; and look with alarm and dismay at the unwarrantable and false proceedings which have taken place in the name of the Roman catholics of Ireland; I do declare, that a great proportion of them are loyal, and take no part in these projects; some of them are misled, and are dupes; and made the instruments of designs which they would abominate if they

they were to know them. Young men, in particular, of ardent minds, have engaged in those political pursuits with a no less criminal object; they merely desire to raise themselves to notice, and to make speeches. Some of these speeches are most dangerous and unwarrantable; the work of united Irishmen labouring for a separation of this country from England. Others are made merely for the gratification of vanity; the authors not seeing that they are acting adverse to the public peace, and contrary to the success of that very catholic emancipation they pretend to be the advocates of. I will now call your attention to the resolutions of the aggregate meeting of the 9th of July.

The attorney general, having read the resolutions, of which we have already given a summary, proceeded in his speech as follows: These resolutions were merely to throw dust into the eyes of loyal catholics. Fully aware of the law they were about to offend, they professed obedience to it while they were actually disobeying it. Observe, they appoint managers to conduct catholic affairs until a new committee is elected; an interim government was appointed, not confined to a petition to parliament, but to manage catholic affairs generally. By the constitution, the management of the public affairs is intrusted to the lawful government of the country: but this is a disdain of all government, and such proceedings are hostile to government. It is said, that an assembly so constituted would not act contrary to the peace and tranquillity of the country; but a few respectable loyal men in such an assembly could be no guarantee for its conduct: the intemperate men, in all such meetings, govern

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the rest. This committee took its rise from the last. Look what their proceedings had been. Their language had been so seditious, treasonable; and indecent, that their press, wicked and daring as it had been, was alarmed, and would not venture to insert some parts of their speeches; but left chasms and blanks in their paper for that which they dared not tell. Every catholic of respectability felt himself scandalized by such wicked and dangerous proceedings. Every loyal man was calling out against such barefaced sedition. Government was blamed for not interfering. In February, however, they were about to terminate their sittings: a circular letter was issued from the committee, to call a renovation of itself: then, and not before, government interposed, not by a measure against law; it merely signified to the magistrates throughout Ireland, that the intended elections were against statute law, and should be prevented. This had the desired effect; for a time it was abandoned. Several respectable members of the committee, who had left it, however, went back to it, believing, perhaps, the existence of it was useful to the cause: their presence was a restraint upon the rest, and the committee was not interfered with until the close of their sittings. The meeting of the 9th of July was composed of some of the members who had been guilty of the greatest excesses. It is impossible not to conceive, however, that there was a portion of well meaning men amongst them. It was then held out to the loyal catholics of Ireland, that their attention was merely called to the petition; and for that purpose, it was necessary to elect a catholic convention: but see

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what the substance of the petition is which was made a *pretence* of assembling this convention. In order to show what little deliberation is necessary to frame a petition, I will state to you what the state of the catholics was in the year 1778, and what it is now. (Here the attorney-general went into a statement of what the penal laws were at that period, and their gradual repeal; and what the restrictions were which still continue.) Let it not be understood that I mean to speak lightly of those matters. I acknowledge, the repeal of them is a laudable object for men of rank and talents to pursue; but what is the drift of the petition? These restrictions can be expressed in a narrow and confined compass. Persons capable of reading and writing could form a petition at once, and without difficulty; and, therefore, to talk of collecting a national convention together for the purpose, is an imposition upon common sense. Their petition has been again and again presented to parliament,—it has been discussed by parliament,—and has never been rejected for want of form. Why has it, therefore, been now thought necessary to summon a convention to deliberate upon it; to call a convention of 500 persons, to act in the capital, day after day, and month after month? Because there is a rebel party, and a party of united Irishmen at work; and who now endeavour to effect by artifice, what they could not do by force in 1798 and 1803. They may have an object in calling a national convention; because such desperate, wicked, and factious persons always sway such assemblies. How was this convention to act, but by the example of that committee, out of which were to

spring what rules or orders were to govern them? Our parliament cannot meet but by the order of the king, and cannot sit a moment longer than he pleases; but this convention, self-created, has no law but its own discretion. Such an assembly can never be tolerated under any form of government. This is no contest between the government and the catholics.—I deny it: it is a contest between the law and the violation of the public peace. Government would be unable to stand, if it were obliged to submit to such things. The Press says, “the right to petition is attacked.” It is no such thing. Because government stop a national convention, can it be said, they stop petitioning? Because the catholics cannot have a parliament of their own, do they complain of not having the right to petition? The attorney-general then adverted to the origin and necessity of the convention act, which, he contended, was to prevent *delegation*: the magistrate was directed to disperse them, without waiting to ascertain whether their purpose was legal or illegal, at the moment when he saw them acting under or for a delegation. The present indictment, he stated, to be framed on the second section of the act. The only ground of cavil is, that they met, not under a *pretence* of petitioning, but for its purpose. He then went into an ingenious argument, that the word *pretence*, as used in the statute, does not intend a *false pretence*; but the claim, the plea, the assumption of petitioning, for the purpose of some other object. Where the legislature intends the term in the sense for which the delegates have contended, it always so expresses it; as in the statute against obtaining money under *false pretences*.

*senes*. The 32 Hen. VIII. uses the word *pretence*, in its indefinite sense, where it is described as a plea to a title. There are *true* pretences, as well as *false* pretences. The 30 Car. II. is conclusive on this point. This is a preventing statute: its title is very like that of the convention act: it forbids more than ten persons presenting a petition; and it uses the word *pretence* in the same sense as a claim, a plea, an assumption of actual petitioning for some other *purpos*:. A delegated assembly overawing the legislature is unlawful, whether it meet to petition or not. Nothing can better show the intention of the convention act, than its exceptions; it excepts the elections into parliament, and the houses of convocation. (Judge Day observed, that such a saving was unnecessary.) The attorney-general proceeded to infer from the exceptions in the act, that the people have still the right of petitioning, if they choose to petition in the legal and accustomed way, as the people of England, who made a stand for their rights, are contented to do. The catholics of England, he said, are as great and as noble as those of Ireland, and lie under greater grievances; yet *they* have not delegated to petition. The parliament alone have a right to do away the test act: they have not thought it right to repeal it; and the question rests with *them* only. If the catholics of Ireland think they can attain their object *by force*, whoever of them makes the attempt is a traitor to his allegiance. They have among them several orators, who, active as they are, do not yet think that the time is come.

After this speech of the attorney-general, the witnesses were called on the part of the prosecution, in order to prove the *fact* of delegation;

for it was evident that, unless the members could be proved to have been delegated, the convention act, even taking it in the sense and extent contended for by the attorney-general, could not possibly apply to the accused. These witnesses certainly failed in making out this material point: they proved that meetings were held for the purpose of appointing delegates to the catholic committee, but they did not make out that the person accused was one of the delegates. Accordingly, after the evidence closed on the part of the crown, the counsel for the traverser declared themselves to be unanimously of opinion, that it was not sufficient to sustain the indictment against their client; and therefore they did not think it necessary to examine witnesses.

On the second day of the trial, November the 22d, Mr. Burrowes, counsel for the traverser, addressed the jury.

He began by arraigning the conduct of the crown in the formation of the jury. He lamented to have witnessed so little decency, or the appearance, at least, if it was no more, of justice on the part of the crown. He did not lay any blame to his majesty's attorney-general, whose virtues and talents he took occasion repeatedly, in a speech which lasted upwards of three hours, to panegyrize. He was convinced that that honourable and upright man would not be privy to any act of meanness, of unconstitutional and illegal interference on the part of the known agents, instruments, nay, the very creatures, of administration. It was notorious, that on the jury there was not a single catholic, in a cause in which the catholic interest was so deeply concerned. He reflected



upon the circumstance with pain, not unmixed with a considerable portion of dismay, that in a city, nine-tenths of whose inhabitants consisted of catholics, not one was to be found on a jury in which the catholics were to be tried. It was, he feared, ominous for the country when government had recourse to such paltry artifices. Nay, the only catholic on the pannel was instantly objected to: but that was not enough for the crown: it was not content with objecting to the solitary catholic, but, in the spirit of liberality which so very honourably distinguished the administration of the country, it objected against twenty-two protestants upon no grounds whatever. These protestants; it should seem, were under the suspicion of being friends to the great catholic cause. But the very circumstances of these challenges put the present jury in a most delicate and awful situation. The eyes of the country were on them. From the partiality evinced by the crown to their selections from among so many other of their excellent and liberal fellow-citizens, it would naturally be concluded that they were prejudiced and illiberal. He did not insinuate that they were;—he believed in his heart that they were not: but see the situation in which they were placed by the crown,—a situation, he would contend, not only indelicate, but almost unconstitutional. They would, however, he felt convinced, rescue themselves from the peculiarity in which they were so unhandsomely placed, as contradicting from the remainder of their fellow-citizens. He should first address himself to the facts, then to the law,—next to the history of the catholics of Ireland, and finally to the policy of the Irish

administration. He said, that the offence created by the statute under which the traverser was indicted, was, “the representing the people under pretence of petitioning the legislature, or any branch of it, for alteration of matter established by law, in church and state;” and he argued, that the representing of the people intended by the statute, must be such an assumption or exercise of authority as would amount to an encroachment upon those privileges which were exercised by the parliament, the only legal representatives of the people: and he insisted, that it was such an assumption only as exercised by the Dungannon meeting in 1793, who acted in their own name, and assumed a legislative capacity, that this statute was intended to put down; but that the right of petitioning was not sought to be affected by it, as appeared by the fourth section, which expressly provides, and, as he thought, *ex abundante cautela*, that nothing therein contained should be construed in any manner to prevent or impede the undoubted right of the subject to petition any branch of the legislature for the redress of any public or private grievance. He then showed, that for the last sixty years the catholics of Ireland had exercised the right of petitioning, and communicated with the government in the manner now sought to be impeached, that is, by deputation, and this, too, with the knowledge and approbation of that government. In 1757, when a French invasion was apprehended, and Conflans actually on our coast, two of the catholic deputies were called forward, and thanked, on behalf of their whole body, by speaker Ponsonby, in the name of the commons house of parliament, for their unshaken loyalty; and in 1793, the royal  
assent

assent was, on one and the same day, given to the act under which the traverser was now indicted, and to the act for removing that great mass of disabilities under which the catholics had theretofore laboured; which latter act had been obtained through catholic deputation, first to the castle, and afterwards to his majesty: and, what is still stronger, the legislature, instead of questioning the means by which it was attained as being illegal or suspicious, in the very preamble in which it recites that the concessions were made in consequence of the loyalty of the catholic body, removes all doubts of the legality and fairness of their proceedings. Mr. Burrowes then argued, that the attorney-general, feeling conscious that the object of the catholic was to petition, and to petition only, and that he could not show that petitioning was merely a pretext, was reduced to the necessity of contending, that pretext and purpose were synonymous terms; but Mr. B. insisted they were not, in common sense or in legal construction. Where the attorney-general caught up this interpretation Mr. B. could not conceive, unless he descended for it into Milton's Pandæmonium, where it is said by the fallen angels—

"Spirits, on our just pretences arm'd,  
fell with us."

- And he insisted, that the pretence, in its legal sense, must be either "*suggestio falsi aut suppressio veri.*" Mr. Burrowes then showed, that the object of the catholic body in the appointment of the traverser in any point of view, could not be an alteration of the constitution in church or state—they sought to disturb no part of either—they sought only to be admitted to a participation of it as it stood: and he con-

cluded by lamenting, that whilst the jury-box, on any question where civil property, to however great an amount, was involved, was crowded with enlightened catholics, upon the present occasion no member of that community appeared upon the pannel; and finally implored the God of all power and might so to enlighten the understandings, and to touch the hearts of the jurors, as that they might bring in a verdict, at once the result of a conscience without blemish, and a judgement without a cloud.

The chief justice, after recapitulating the evidence, proceeded to define the law in a charge which lasted an hour and a half, of which the following is the substance:

He commenced by reading at length the indictment, and then recapitulated the evidence of Sheppard, M'Donough, and Huddleston. He said, that, if they believed the witnesses Sheppard and M'Donough, they must believe that on the 31st of July a meeting had taken place in Liffey-street Chapel; that an election had there taken place, for delegating five persons to serve in a general assembly or committee of the catholics of Ireland, and to represent that parish in that assembly. If they believed the witnesses, who both spoke to the same facts with little variation, they must believe that the traverser assisted at the election of those persons mentioned,—that he was in the chair,—and put the question of their appointment. If, also, they believed Mr. Huddleston, they must believe that a meeting also took place at Fishamble-street on the 9th of July, at which certain resolutions were passed; and particularly, they would observe the nature and substance of the resolution,—that five persons should

be elected from each parish in Dublin, to serve in the committee : for, as the traverser did not appear to have interfered with the proceedings at Fishamble-street, his responsibility for any thing done there would entirely depend upon the connexion, if any, which they should believe existed between those two meetings. If they thought that the meeting in Liffey-street was held in pursuance of the resolutions entered into at Fishamble-street, they were identified ; and the acts of both were evidence against the traverser. On that part of the case he should remark, there was certainly no evidence of their connexion, but the coincidence in point of number of the five persons elected in Liffey-street according with the number assigned by the resolution of the 9th, and that the election was for a parish in Dublin, and that it took place within the month. It was on this evidence for them to say, if they believed the one was in consequence of the other ; and if so, the traverser was identified with both. In order to apply those facts to the law, he should give them what was the opinion of the court on the law, under the construction of the statute.

The act does not profess to say, that it was intended to suppress conventions meeting with a criminal intention ; and to this day, an assembly might meet, and not be guilty of any criminal act, and be only illegal under the operation of the statute ; but it was the meeting of an assembly, however fair and innocent their motive, that was considered by the legislature criminal and dangerous, from the very nature of the constitutions of such conventions. It was not because they were fair intended, but because, from their very formation,

they possibly might be injurious ; and the remedy which the legislature had taken, was to declare the existence of them unlawful, and to authorize the magistrates to disperse them ; and this must be the only operative construction of the act ; for the second section declares the publishing a notice to meet, to be a high misdemeanour, and makes it a substantive offence, attending and voting at any election of persons to serve in the same ; and it would be impossible that this section of the act could ever apply, if it was to depend on the question, whether the assembly met on a true or false pretence ? which would be a transaction long subsequent—so that, unless the legislature meant it to extend to all representative assemblies, save those particularly excepted, these enactments of the second section would be absurd and nonsense ; and what would show that absurdity greater, if the pretence was to be a false pretence, that the act empowered the peace officer to force his way into any such assembly, and disperse it. Is the peace-officer to be a judge of the truth or falsehood of the pretence of the meeting, or is he to wait until the pretence, the false pretence, of the meeting is disclosed, and then disperse them, while they were dispersing themselves, and the object of the meeting has been obtained ? So that, if the acts of the assembly were only to bring it within the operation of the statute, the remedy would seem to me to be strangely inoperative. The act has done nothing, unless it has prevented the meeting of all delegated assemblies, whether meeting for the purpose of petitioning or otherwise.

It remains, then, if you do believe that the traverser Mr. Sheridan

can did act in the election of Mr. Kirwan nominated to the general committee, and that such committee was for the purpose of altering any matter, by petition or otherwise, in the church or state, you will find him guilty; for it is our opinion, that the fact of his assisting at that election, whether it was for the purpose of petitioning or not, would not put him out of the operation of the statute.

The other three judges expressed their unanimous concurrence in the opinion of the chief justice.

It is impossible,—indeed language sinks under the effort—to describe the anxiety manifested while the jury were in their room. Although it was nine o'clock at night, yet the hall of the four courts, the court of king's bench, all the avenues leading to the courts, the very attic windows at the top of the courts, were crowded with people.

When it was announced that the jury had agreed to their verdict, after an hour and a half's deliberation, there was a deep silence for a minute. Mr. Byrne, the clerk of the crown, then called over the names of the jury: they having answered, Mr. Geale, the foreman, handed down the issue—*Not guilty*.

The word was scarcely pronounced, when a peal of huzzaing and shouting rung through the court and galleries, and shook the very judicial bench. It was caught by the anxious auditors in the hall. The judges attempted to speak—the officers attempted to act—the enthusiasm deafened and destroyed every attempt. The judges waited for some minutes, and the chief justice attempted to address the court, but he could not be heard—nothing could be heard but the loud, the overwhelming torrents of popular enthusiasm. As the jurors

passed through the hall, they were greeted with waving of hats and clapping of hands. Sheriff Robert Harty was received with the most unbounded tumults of approbation and applause.

In order that the bearings and merits of this most interesting and important cause may be brought fully and clearly before our readers, we have thought it necessary and proper to subjoin a copy of the convention act. Thus they may go along with us easily and regularly in the observations we shall think it right to offer, and detect our arguments wherever they may seem to go contrary to the evident meaning and scope of the statute.

“Whereas the election or appointment of assemblies, purporting to represent the people or any description or number of the people of this realm, under pretence of preparing or presenting petitions, complaints, remonstrances, and declarations, and other addresses to the king, or to both or either houses of parliament, for alteration of matters established by law, or redress of alleged grievances in church and state, may be made use of to serve the ends of factious and seditious persons, to the violation of the public peace, and the great and manifest encouragement of riot, tumult, and disorder,—be it declared and enacted, by the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in parliament assembled, and by the authority of the same, that all assemblies, committees, or other bodies of persons elected, or in any other manner constituted or appointed, to represent, or assuming or exercising a right or authority to represent, the people of this realm, or any number or descrip-

tion of the people of the same, or the people of any province, county, city, town, or other district within the same, under pretence of petitioning for, or in any other manner procuring, an alteration of matters established by law in church or state, save and except the knights, citizens, and burgesses elected to serve in the parliament thereof; and save and except the houses of convocation duly summoned by the king's writ,—are unlawful assemblies; and it shall and may be lawful for any mayor, sheriff, justice of the peace, or any other peace-officer, and they are hereby respectively authorized and required, within his and their respective jurisdictions, to disperse all such unlawful assemblies, and, if resisted, to enter into the same, and to apprehend all persons offending in that behalf.

“ 2. And be it further enacted, that if any person shall give or publish, or cause or procure to be given or published, any written or other notice of election to be holden, or of any manner of appointment of any person or persons to be the representative or representatives, delegate or delegates, or to act by any other name or description whatever, as representative or representatives, delegate or delegates, of the inhabitants, or of any description of the inhabitants, of any province, county, city, town, or other district within this kingdom, at any such assembly; or if any person shall attend and vote at such election or appointment, or by any other means vote or act in the choice or appointment, of such representatives or delegates, or other persons to act as such, every person who shall be guilty of any of the said offences respectively, being thereof convicted by due

course of law shall be guilty of a high misdemeanour.

“ 3. Provided always, that nothing herein contained shall extend, or be construed to extend, to affect elections to be made by bodies corporate, according to the charters and usage of such bodies corporate respectively.

“ 4. Provided, also, that nothing herein contained shall be construed in any manner to prevent or impede the undoubted right of his majesty's subjects of this realm to petition his majesty, or both houses or either house of parliament, for redress of any public or private grievance.”

On an attentive, and impartial consideration of this statute, it is clear, that unless proof were adduced that some other object, besides petitioning parliament, was in the contemplation of those who assembled, it could not apply to them. The great difficulty arises in finding proof that there existed any other object; but this proof, of course, lay with the crown. The fourth provision of the act, “that nothing herein contained shall be construed in any manner to prevent or impede the undoubted right of his majesty's subjects of this realm to petition his majesty, or both houses, or either house of parliament, for redress of any public or private grievance,” puts it beyond a doubt, that the act was not intended to apply to the case of a convention assembled for the sole and real purpose of petitioning parliament. It may, indeed, be urged, that the fourth provision of the act merely guards the right of petitioning when exercised by assemblies of men acting for themselves, and not delegated: but as the whole of the act refers to conventions,—as it was brought forward and incorporated with the law of the land, for the ex-  
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press purpose of putting down conventions of those who met under the pretence of petitioning parliament, it would seem but just and natural to infer, that the fourth provision of the act guards conventional meetings, and not aggregate meetings, (which are never once mentioned or hinted at, either in the preamble or the body of the act,) from being interrupted or considered as illegal.

It is quite a foreign and independent question, how far it was prudent in the catholics to have recourse to conventional meetings; how far it was consistent with their professions of regard for the tranquillity and peace of the country; and how far this proceeding, on their part, could be reconciled with the object which they professed solely to have in view. It is also a distinct and separate question, whether the convention act ought not to have had the meaning fully and unequivocally given to it, which the attorney-general and the chief justice of the king's bench contended it really possessed. On the former point we have no hesitation in affirming, that the catholics neither consulted the interest nor success of their cause, nor displayed the wisest and plainest proofs of regard to the well-being of their country, when they had recourse to delegated meetings. This step had too much the aspect of a wish and intention to force from the government by terror, what they could not obtain by simple request and petition. At any rate, it established a body of men in the metropolis of a disturbed country, who might have been led to make a bad and improper use of the character and power with which they were invested. With respect to the second point, we are of opi-

nion, for the reasons we have just mentioned, that the laws of all well regulated governments should be expressed against all delegated meetings, unless where the object is undoubtedly and manifestly such, that no public evil can arise from them.

There is only one argument that can be urged in favour of delegated meetings assembled for the redress of public grievances; and that argument, if weighed well and examined in all its bearings, will be found to tell strongly against them. It is contended that the subjects of a country have an undoubted right to meet in delegated assemblies, whenever aggregate meetings fail in attaining their object; that individuals, scattered through the whole extent of a country, would have no chance of making their petitions for the redress of grievances heard, unless they delegated persons to act for them. But why, it may be asked, are delegates more likely to gain the object in view than aggregate meetings? Does not this argument imply, nay, does it not rest on this, that government will be threatened into submission by delegated meetings in cases where they would refuse the request of aggregate meetings? And even allowing the object of the petition to be of the highest possible importance, are not the safety and the very existence of the country objects of much greater importance? And how long would that safety continue? how long would the country exist after government had been terrified into compliance, and those who had so terrified them had felt their power? While, therefore, the right of petitioning by aggregate meetings is not put down, or called in question, there can be little danger,—while in every case

case there must be much public safety from a real convention act; and all friends to the catholics, and to their cause and wishes, must regret that they had recourse to delegated meetings.

The acquittal of Dr. Sheridan having, in the opinion of the attorney-general, been the result of a defect of evidence only, while the law had been distinctly laid down by the chief justice as applying to the convention of the catholics, it was thought proper by government not to proceed with the trial of the other arrested delegates. By the catholics, this determination not to proceed with the trials was regarded as the consequence of an apprehension that the other supposed delegates would also be acquitted: and as they regarded the acquittal of Dr. Sheridan as the result of a conviction, on the part of the jury, that the law did not apply to this case, they resolved to continue their delegated meetings. The attorney-general had expressed a hope, that as by the decision of the judges the convention act did apply, and as of course the delegated meetings were illegal, they would no longer be held. In this hope he was mistaken. On the 23d of December the committee of the catholic delegates met again. The select committee met first at a tavern in Earl-street, and afterwards proceeded to the theatre, where a great number of delegates attended. Here they were dispersed by the magistrates, who arrested lords Fingal and Netterville, the two chairmen. At the first meeting of the delegates they assembled before the hour appointed; so that when the magistrates made their appearance the chairman had left the chair, and the meeting of course was virtually dissolved. At this

meeting lord Fingal, when he was asked by the magistrates whether it was a meeting of the catholic committee, and what was their object, declined giving any answer to the first part of the inquiry; and with respect to the latter part, contented himself with stating, that they were met for the legal and constitutional purpose of petitioning parliament. Now certainly, in both these cases, if the catholics were anxious to defend themselves from all imputation of going contrary to a known law,—if they wished fairly to meet the question, and to ground their cause on its plain and open justice,—at the first meeting they should have given the magistrates an opportunity of acting; and at the second meeting the character in which they assembled should have been clearly and fearlessly avowed.

On the 26th of December a most numerous and respectable aggregate catholic meeting was held, at which, among other resolutions, the following was passed:—That a dutiful and humble address be presented to the prince regent as soon as the restrictions were taken off; that the preparation and presentation of such address be referred to a board; and (what is most curious and important after lord Fingal had objected to state the character of the last meeting at which he presided,) “that neither the said board, nor the general committee of the catholics of Ireland, does, or ever did, consist of persons in any manner constituted or appointed to represent the people of this kingdom, or any number or description of them, or the people of any district within the same; neither does the same consist of any persons charged with any further or other function than that of preparing

paring catholic petitions or addresses to the different branches of the legislature."

In such a state were the affairs of Ireland left at the close of the year 1811—we say the affairs of Ireland; for he must be ignorant indeed of that country, who is not convinced that the affairs of the catholics there may most justly and truly be said to make up the affairs of the kingdom: not merely

because the catholics form so very large a proportion of the inhabitants, but because now the greater number of their protestant brethren take an interest in their cause, and look anxiously forward to the period when the catholics shall be satisfied and peaceable, as the commencement of an æra most auspicious to the well-being and prosperity of this branch of the empire.

## CHAPTER XIII.

*Colonial History of Great Britain—Jersey—Supposed Preparation of Bonaparte to invade that Island—Remarks on the Policy which probably leads him to threaten the Invasion of Great Britain—Difference of Opinion now and formerly respecting a French Invasion—Trinidad—Motion made in the House of Commons to introduce the British System of Law into that Island—Motives which led the Planters to petition for this Change—Difference between the English and the Spanish Laws with regard to the Treatment of Slaves—Malta—Administration of Justice in that Island—Complaints of the Inhabitants that their Privileges have not been preserved to them according to Treaty—General System of our Policy with respect to this Island and our other Conquests condemned—Sicily—Absurd and ruinous Policy of its Government—Remarks on the British Ministers there—Queen of Sicily—Her Attachment to the French—Lord William Bentinck's Return to England—Remarks.*

HAVING allotted that space and consideration to the history of the domestic events of Great Britain and Ireland, during the year 1811, which their relative importance seemed to deserve and demand, we must now turn our attention to the narration of the events that took place either in the colonies of Great Britain, or in those states which may be regarded as under her influence, before we proceed to the history of the naval and military transactions of this period. The order which we shall follow in this portion of our work very easily and naturally suggests itself. Jersey first presents claims to our notice, as from its vicinity

and long connexion with the mother country (if it may not more properly and justly be considered as part of that country), more closely allied to us in interest, if not in importance, than more distant and more recently acquired territories. The events that took place in Trinidad during the year 1811 will next claim the notice of our narrative. They are curious, as giving an insight into the mode by which, when we acquire the colonial possessions of foreign powers, we in some instances and cases retain the established laws and constitution, and in other cases ingraft the British upon them. Every thing that relates to Malta, however



however unimportant in itself, must be interesting, as tending to illustrate the history of an island generally viewed and held out as the cause of the present war; and certainly, (whatever diversity of opinion there may be on this point,) from its local situation justly deemed the key to the Mediterranean, and, while it continues in our possession, a complete barrier to the ambitious views which the French emperor may entertain against Egypt and the East. It is difficult to point out and assign the character under which the neighbouring island of Sicily may at present be regarded: it is in reality, though not in name, in possession of Great Britain; it may, therefore, most fairly and naturally be treated of after we have dismissed the subject of Malta. And the affairs of Sicily during 1811 are most worthy our serious notice and consideration. They offer ample ground for deep and considerate reflection: if rightly read, they would enlighten statesmen, and open their eyes to truths of the first moment and importance, against which they have hitherto closed them with most unwise and foolish obstinacy. Such are the events which claim our notice before we enter on the history of our naval and military exploits.

The menace and preparation of invasion, by which Bonaparte had so often terrified us, and kept us constantly on the alert, had been laid aside for some time. Most probably he was apprehensive that they had lost their effect, and were no longer capable either of distracting the views of our statesmen, or keeping our armies at home. Certain it is that the French emperor had sent off the army which he designated the army of England;

and no longer in his vapouring addresses, either to his soldiers, or to the legislative body, promised and anticipated the invasion and conquest of England. Indeed, if we turn our recollection and our thoughts back to the periods when the armies were collected and assembled by Bonaparte on the coast of France opposite to England, we shall most probably discover that they were thus assembled for a different purpose than a meditated and serious invasion of this country. In general, whenever he found it necessary or politic, in the anticipation or intention of a war with any of the continental powers, to be prepared with a large army, so completely equipped and so situated that it could move at a moment's warning, he assembled it on the shores of the English channel. Thus he hoped to effect two objects, both of considerable importance to him. Publicly announcing the army thus collected as intended for the invasion of England, he endeavoured (and sometimes succeeded in his object) to blind the continental powers, whose destruction he was meditating,—while he terrified England so much with the apprehension of invasion, that neither her statesmen nor her inhabitants were disposed to assist their threatened continental allies with those forces which might be needed at home for much more necessary and important objects. The relevancy and propriety of these observations we shall perceive in our account of the threatened invasion of Jersey during the year 1811. The peace between the emperor Alexander and Bonaparte was by no means well-grounded, nor free from sources and causes of mutual distrust and dissatisfaction: what these were, whence they sprung, how

how they were accommodated for a season, and again broke out, we shall have occasion to consider afterwards. The bare and undisputed fact, that Bonaparte was dissatisfied with the conduct of the Russian emperor, and that his remonstrances with him were so far ineffectual, as to render it necessary to have recourse to the appearance of renewed warfare, will probably account for the assembling of a large force opposite to Jersey, much more plausibly and satisfactorily than the supposition that he really and seriously intended to invade that island.

When we reflect on the danger and difficulty of the enterprise in all its movements and relations,—on the risque which his transports would be exposed to of capture, even in passing the narrow sea that separates France from Jersey,—on the obstructions to the safe and general landing of a sufficient army, which the coasts of the island present,—and on the state of preparation in which the island was, both in respect to forces and to fortification,—we must suppose that the object thus intended to be wrested in the midst of the most probable discomfiture, was of the highest importance to Bonaparte, before we can bring ourselves to believe that he would attempt it. But this importance does not exist: there is no sufficient reason, no reason that would operate on the mind of such a person as Bonaparte, that should lead him to sacrifice any portion either of his military character, or of his reputation for uniform and undisturbed good fortune, in order to gain possession of Jersey. Those know little of him, who suppose that the desire of regaining this island, merely because it formerly belonged to

France, would find place in his mind: he may indulge and flatter the vanity of his subjects by such schemes; but his ambition requires more solid food to nourish and support it. If the possession of Jersey would be the stepping-stone, as it were, to England, then it would indeed lay hold on his thoughts; then would it be the object of his most anxious desire, and of his most deeply concerted plans.

However, whether the army which was collected on the coasts of France, opposite to the island of Jersey, were seriously intended to invade it, or not, the governor, troops, and inhabitants, firmly persuaded that they were its objects, displayed a zeal and courage highly creditable to them, and which in the hour of danger would unquestionably have led them onto victory. There can be no doubt, that this zeal and courage arose from a firm belief that their invasion was seriously meditated; all communications from the French coast concurred in representing the collected army as having that object alone in view. In concluding this short detail, interesting rather from the reflections to which it may give rise, than from its intrinsic importance, we shall state two circumstances which both operate powerfully to render a French invasion much less formidable now than it was some years ago. In the first place, those mistaken men, who at the beginning of the French revolution expected from the French only the removal of those imperfections which existed, or which they thought existed, in the British constitution, and the redress of the paltry grievances under which they suffered, are either now no more, or have learnt sufficiently well to appreciate the character of the French, and the designs

designs both of the emperor, and of those whom, by flattering their ambition of conquest and universal dominion, he governs. Such men have learnt to love and venerate their own constitution by contrasting it with that of France; they have thrown away the foolish expectation of meeting with or making a system of government free from defects; and though not of opinion that there is nothing wrong, nothing which can and ought to be mended in their own, they would much rather keep it as it is, than allow it to be touched by the unhallowed hands of France. In the second place, some years ago, when Bonaparte almost annually repeated the show, and renewed the threat of invasion, the people of this country, though disposed to rate every thing English sufficiently high, and though at other times they would indulge the vulgar prejudice that "one Englishman was a match for three Frenchmen!" yet when the hour of invasion seemed to be approaching,—when the truth of their favourite aphorism was likely to be put to the test, they shrunk back appalled: the language even of the best affected and the best informed was, Britons are a match for double their force at sea; but at land the French armies have gained so much experience, and are led on by such able generals, that the raw and inexperienced troops of England, headed by generals who never saw a battle, will be of no use against them. What has since occurred in Spain, under Moore, and Wellington, and Graham, and Beresford, and Hill, has convinced the most timid that, even on land, Englishmen are more than a match for Frenchmen, and has taken away all apprehension about the result of an invasion,

even should it be attempted and carried into effect.

Soon after we gained possession of Trinidad, the attorney-general of that island transmitted a plan to the English government, according to which the laws then established there were to be reformed. His objection to them was, that being a mixture of the English law introduced at the conquest of the colony, and of the Spanish law as it had existed previous to the conquest, the whole was obnoxious and oppressive, both to the English and the Spanish inhabitants; while many parts were inconsistent and at variance not only with other parts of the codes, but also with justice and the ends of good government. The objections to them were so strong and general, that Mr. Marryatt in the house of commons on the 13th of June moved a resolution to the following effect: That for the better security of the liberty and property of his majesty's subjects in the island of Trinidad, the administration of justice according to the laws of Spain should be abolished, and the laws of Great Britain be introduced in their stead. In support of this resolution he quoted several cases of hardship and apparent injustice, arising either from the operation of the Spanish laws, or from the injudicious and ill defined mixture of those laws with the Spanish code. This motion was strenuously and warmly opposed, principally by Mr. Brougham, Mr. Stephen, lord Castlereagh, and Mr. Wilberforce. Mr. Brougham contended, that the instances adduced by Mr. Marryatt, in support of his resolution, were the result, not of an injudicious and ill-defined mixture of the two codes, but of a close and strict adherence to the Spanish system of law as it existed when

when the island was conquered ; and that though there were undoubtedly many imperfections, many absolute faults in this system, yet so much of it was good and beneficial, that great care and caution ought to be used in either abrogating it, or engrafting the British code upon it. He particularly insisted on the goodness and justice of the Spanish system, as it had reference to slaves ; and as the laws of the West Indies, even of those which were originally British, were very defective or even culpable on this head, Mr. Brougham was of opinion that a code which took the slave as well as the freeman under its protection ought not to be libelled or hastily changed. In the ordinance for the government of the negroes and other slaves, it is enacted, that if a slave marry, the wife shall follow the husband ; so that, if the woman belonged to some other master, the master of the male must purchase her at a fair valuation ; and if he refused to do so, then the master of the male slave must take him at that valuation : it is also enacted that only twenty-five lashes should be inflicted at one time, and those were not to cause contusion or effusion of blood ; and if this was at any time exceeded, the slave was immediately taken out of his master's power. With this law, thus considerate and favourable towards the slave, Mr. Brougham eloquently contrasted the law which, if the motion of Mr. Marryatt were carried, would be introduced into the island. In the British West Indies, the cart-whip was used, and dreadful lacerations were inflicted : the power of the master was not limited or defined ; instead of fixing down flagellation to twenty-five stripes, two or three hundred were allowed ;

and those might be given not only by the master or the steward, or by the regular and ordinary slave-driver, but, in more than one instance, a brother had been made to perform the office of flagellation till the unhappy object of punishment was whipped to death. One object of Mr. Marryatt's motion was to introduce the trial by jury : on this Mr. Brougham very justly observed, that whether the trial by jury should be a benefit and a blessing, or a curse, depended on the character of those from whom the jury must necessarily be selected. What verdict could reasonably be expected from a jury in the West Indies, in the case of cruelty or injustice towards the slaves, from men who would not allow that, when slaves were the objects of treatment, the terms cruelty or injustice could with propriety be applied ? By the Spanish law, bad and intolerant as it was in other respects, the slaves were regarded and protected : if the British trial by jury were substituted in its place, Mr. Brougham contended, they would gain the name and lose the reality of protection.

Mr. Stephen, in his speech, went into the origin and history of Mr. Marryatt's motion. Governor Hislop had sent a circular letter to all the *white* inhabitants of the island, requesting to know whether they would not choose to be governed by British laws. It was asserted that the mulattoes either acquiesced in this proposal or were silent upon it ; but the fact was the reverse : they humbly begged and prayed the governor, that they might be permitted also to transmit a petition to the government in Britain : but this prayer, though couched in the most adulatory terms, was refused. And not only did the governor re-

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fuse to permit the mulattoes to transmit a petition, but he commenced a severe prosecution against those who were instrumental in having it signed. No fewer than thirty of these were arrested, banished the island, and stripped of their property. In short, the Trinidad planters were so loud in their cry for a British constitution, and they were so anxious in their demand for it, that they were ready and willing to accept of any part, and be content with any share of what they called and considered such: this very circumstance of West India planters calling for the constitution of Britain very naturally induced a suspicion, that by their mode of exercising the laws which that constitution would give them they anticipated more complete authority than they possessed under the Spanish code. After several very powerful and argumentative speeches against Mr. Marryatt's resolution, and but a very feeble defence of it, it was rejected by the house.

We have noticed this subject, as we did what related to Jersey, rather on account of the reflections and observations to which it is calculated to give rise, than from its intrinsic and absolute importance. The circumstances and facts which were disclosed during the debate amply and strongly support the opinion, that the best form of law will be of little avail in securing the ends of justice, and in guarding the rights and promoting the happiness of a people, unless that people are adequately enlightened, and by their knowledge and habits worthy of the law. Many people are of opinion, that if the British constitution were enacted in the most ignorant or the most slavish country under the sun, it would, by some

hidden magic, produce all that benefit which is reaped from it in Britain. The case of the West Indies is in point to show the absurd nature and utter weakness of this opinion: the trial by jury, that institution which in Britain is justly regarded and prized as the great bulwark of our liberties, exists in the British West India islands; but the state of society is such that it would be difficult to obtain a verdict, upon the most indubitable evidence, against any proprietor: there are so few out of whom the jury can be chosen, and these are so closely connected and united in interest, in habits, and in sentiment, that to expect a jury of such men would bring in a verdict of Guilty, is almost as absurd as to suppose that a man would utter sentence of death against himself. The British constitution is a dead letter; it is worse; it is an evil, in a state of society, where free, intelligent, virtuous, and independent jurymen cannot be found. Where it exists along with knowledge,—a conviction of what man owes to his neighbour, as well as to himself,—it is the highest gift that heaven can bestow; but it should never be prostituted, by being introduced where slavery reigns.

The other reflection to which the proceedings in Trinidad give rise is equally important: it regards the manner in which, upon the conquest of any foreign territory which we mean to retain, it ought to be governed. The principle on which the preceding remarks proceed is equally applicable here: great caution and circumspection ought to be used in engrafting the British system of law upon the system which has been established in our conquests; but as we must believe that our system, generally speaking,

is preferable to any other, the object of our government ought to be its gradual introduction. It is no small recommendation and advantage to it, that it requires the previous enlightening of the inhabitants : if therefore we introduce the British constitution and British laws wisely and properly, we shall confer a double benefit ; first by the preparation of knowledge which they require ; and then by the direct and peculiar blessings which, after that preparation is gone through, they unquestionably will produce. It is the paltry excuse of indifference, or indolence, or something worse, to urge that any race of people, under our dominion, are not fit for the British laws : if it be the duty of government to benefit those over whom it rules, it is their duty to make them fit to receive that system of laws by which their well-being will be most firmly, securely, and most extensively enjoyed.

What we have to relate and to observe with respect to Malta is similar in its subject and nature to what has just been related and observed with respect to Trinidad. With all our just estimation of the admirable system of the British government, and all our attachment to it, from the blessings we have derived from its principles and administration, contrasted with what we know has been suffered by other nations groaning under the yoke of despotism ; and even with all that natural and allowable prejudice with which the natives of Britain regard whatever belongs to their island and to themselves,—we must admit that other governments may have some things at least equally good and beneficial with our own ; and undoubtedly, that a real blessing, if it is not deemed such, loses all its nature and effects in respect to those who cannot  
1811.

understand its value, and who are indisposed to receive and enjoy it. When we gained possession of Malta, there were certain privileges possessed by its inhabitants, or, to speak more correctly, by a portion of its inhabitants. These privileges we guaranteed the regular, continued, and unimpaired possession of : the Maltese, however, in a very spirited memorial complained, that we had not kept our promise, and called upon our government to place them on the same footing ; with respect to the claimed privileges, as they were before we conquered the island. It is not only in this respect that our policy with regard to this most valuable and important island has been erroneous or defective. When the island became ours, a commission was appointed to administer the civil government, and a royal proclamation was issued promising the Maltese a continuance of their own laws, customs, and privileges. Notwithstanding this, such is the mode of administering justice in Malta, or rather, such is the present government of the island, that no term designates it more clearly or properly than that of despotism : the inhabitants have no other security for the enjoyment of their rights, and for the protection of their lives and property, but the personal character of their governor. This certainly is the very essence of despotism : the only difference is,—but it must be admitted and confessed the difference is a great one,—that the governor is a Briton, and consequently neither disposed nor habituated to act contrary to the dictates of justice, or the happiness of those over whom he rules ; or if he were so disposed, he is still amenable to those at home, who will not tolerate oppression. When the Maltese laws were guaranteed

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ranted to the people, it seems to have been forgotten that these laws were made at a time when the term *people* was almost a term of reproach; when, in the drawing up of a code of laws, they were either overlooked, or noticed only to have their rights disregarded or trampled upon. The code in use, when we gained the island, was imposed by the supreme and unchecked will of the grand-master of the knights of St. John, than whom no monarch was ever so absolute, or so much disposed to despotism: but even this code was not preserved to the Maltese in his old and accustomed form of administration. It was in a manner rendered nugatory by the dispensing and controlling power of the supreme magistrate, which by the regulations established at the conquest of the island is exercised by his majesty's civil commissioner. By this arrangement the evils of the native code are augmented. The courts in the island are numerous; their proceedings most dilatory: the necessary and natural consequence is, that the appeals are numerous, long and vexatious; so much so, that after a party has had several decisions in his favour, the whole may be set aside by the civil commissioner. As this person too frequently is ignorant of the language, the habits and the customs of the natives, he generally follows the advice of the *uffiori*, a set of men nominated by himself.

In another most important respect the Maltese are differently dealt with from the inhabitants of our other colonies: in these a secure and powerful remedy is provided for judicial error or corruption, namely, the appeal to the king in council; but in Malta no such appeal is authorized or known.

On the general system of our policy with respect to this island, we shall lay before our readers the very sensible remarks of a traveller who has lately visited this island and Sicily, and viewed them with the eye of a good patriot and an enlightened politician.

"We have had possession of Malta upwards of ten years; and yet the public do not know whether it is to remain permanently ours, or to be resigned again nominally to the knights, but virtually to the French. This uncertainty, and that defect of our foreign policy, in not having any definite plan for embracing into our empire such acquisitions as the events of war enable us to make, operate greatly to the disadvantage of this invaluable possession. An apprehension is felt both by the natives and the British that our statesmen will surrender Malta—one of the most important commercial and military stations we ever obtained. The administration of justice is affected by this uncertainty and apprehension; and the greatest abuses are tolerated, merely because the existing government is only regarded as provisional during the war. It is still doubtful whether any British subject, in this part of the British dominions, may claim his birth-right,—a trial by jury. It is indisputable, as far as precedent goes, that neither his person nor his property enjoys here that natural protection which it is the duty of all governments to afford, and which, elsewhere, the British subject has a right to demand." (Salt's Voyages and Travels in the years 1809, 1810, and 1811, containing statistical, commercial, and miscellaneous observations on Gibraltar, Sardinia, Sicily, Malta, Serigo, and Turkey.)

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The affairs of Sicily during the year 1811 present a curious and highly interesting appearance.—They open to our view the first act of a drama, which in its progress and catastrophe will most probably present some very striking circumstances and decisive results. It is well known that we have for some years kept a large army there, for the purpose of defending the island against the French. It is equally well known that the present sovereign of Sicily has been stripped of his continental dominions by those restless and cruel enslavers of Europe: and when we reflect on the high military power of the French, on the number of their troops, and on the importance which Bonaparte must set on the acquisition of Sicily,—and consider, on the other hand, how few, undisciplined, and unskilful are the forces which the Sicilian monarch can bring into the field, even for the defence of his country, we must be convinced that it is solely owing to the presence and exertions of the British army that he still possesses a territory he can call his own. Under these circumstances, gratitude, or, if that is supposing the existence of a principle too refined and noble, the lowest and most stupid self-interest, would, it might have been imagined and anticipated, have induced the Sicilian government to have kept on the best terms with their defenders, as well as to have co-operated with them for the protection of the island. Certainly, had we not known it to be the fact, we should not have expected that the French, who stripped the Sicilian monarch of his continental dominions, and who had even proclaimed Murat, who was placed on the throne of Naples, king of the

two Sicilies, would have been preferred to the English. In another respect the conduct of the Sicilian government is most mad and self-destructive: it must know that the most natural and the best defence of the island consists in the attachment of the inhabitants; and yet, so far from endeavouring to gain the good will of its subjects, all its measures appear calculated to disgust and irritate them. Such of the nobles as were disposed to the French were favourably received at court, while those who attached themselves to the British were persecuted or imprisoned. And with respect to the great mass of the people, the Sicilian government seemed much more afraid that they should be benefited than that the French should conquer the island.

Nor can the conduct of the British government, in relation to this island, be deemed entirely free from censure. We are too often disposed to attribute the part we have taken in the continental wars, since the commencement of the French revolution, to a disinterested regard for the liberty and happiness of mankind. While France has been trampling under foot all principles and rights; while she has established misery on the basis of military despotism in every part of Europe where she has carried her conquests; Great Britain has put forth her power to protect the weak, and to preserve the liberties of the human race. But the disinterestedness as well as the policy of this conduct may well be questioned. That we have done what we could to preserve and protect what was established and sanctioned by age, no one can deny; but it would be difficult to prove that



that we looked further ;—that we have discriminated those parts of the old institutions which were good and useful, from such as were evil and pernicious. Had we done so, we might certainly, even without interfering improperly, have meliorated the condition of the Sicilians. We contend that we are defending them against the conquest and the tyranny of the French. So far we are doing well, though it may be suspected that self-interest has no inconsiderable share in dictating this conduct. But are not the Sicilians suffering under a tyranny which, though not so bad as that of the French, yet, if we detest that of the French from principle, must also be the object of our detestation? We have given it as our opinion, that our conduct was neither so disinterested nor so politic as might be supposed and held forth; for certainly, if our object was the most effectual and least expensive defence of Sicily, that object would best have been secured by inducing the inhabitants to defend their own territory; and this could have been effected only by making them regard the dominion of the French as a curse compared with the dominion under which they lived. That an interference on the part of the British government with the government of Sicily ought long ago to have taken place; that this interference was loudly called for, both by the attachment of the Sicilian court to the views and interests of Bonaparte, and by its hostility to the liberty and well-being of its own subjects, had been announced in plain and forcible language by almost all who had visited Sicily since the monarch fled there from the continent of Italy. That their

advice was sound and good, the events of the year 1811 most amply testified.

That the disposition of the Sicilian court towards an alliance with Bonaparte should have been so long unknown to our government is indeed surprising. Nor is it less so that our ministers at the court of Palermo should have overlooked, or passed over in silence, such a disposition. One circumstance, indeed, is very generally stated and credited, which accounts for this neglect and inattention on the part of our ministers in Sicily. The Queen is said to have employed the same means to keep them in her interest, or at least to blind them to her views and her schemes, that Calypso used to detain Telemachus. As her character, amidst all her profligacy and dissipation, possesses more energy and vigour than is generally found in the present race of the sovereigns of Europe; and as, besides, she is the principal personage in those transactions which we shall soon have to record, and which most probably will fill some of the pages of our future volumes, we shall quote what is said respecting her by the intelligent traveller we have already cited.

“ The queen must undoubtedly be considered as the first person in Sicily, as the king leaves all the affairs of state to her management; and certainly she conducts them with much address and spirit. The wisdom of her measures as to the effect intended is another question. In her attention to business she is quite indefatigable; and the number of letters and papers which appear in her own hand-writing is so extraordinary, that I have heard her application described as a passion

sion for doing every thing herself. Notwithstanding the moral defects generally laid to her charge, she is said to be much esteemed by her immediate attendants, and to possess many amiable qualities. In her affections, as a mother, she is entitled to the greatest respect. The great infirmity of queen Caroline's mind arises from the vehemence of her feelings. She considers her undertakings with too much earnestness, and looks upon every measure that she plans as her last stake. When one reflects on her misfortunes, it is not surprising that she should have lost that regal equanimity which is expected on the throne. Born to the highest earthly dignity, and fostered unconsciously by the circumstances attending the early part of her life into a belief that she was almost of a species superior to the ordinary human race, she could not be otherwise than proud. All the predilections of her disposition were settled into habits before any event occurred to inform her that the daughter of so many emperors was within the reach of adversity. But few women have ever endured greater afflictions. Her sister has fallen on the scaffold. The family of that sister has been compelled to implore alms and shelter from its ancient enemies. She cannot name one relation or friend that has not suffered degradation. She has herself been compelled to become a fugitive; and knows, which to a mind like hers is one of the greatest miseries, that many of her former flatterers are now repeating their sycophancy to the robbers that have taken possession of her home. Nor is this all: she knows that her favourite daughter has been poisoned. The house that she inhabits is but a precarious lodging, in which she never lays her

head upon her pillow without the dread of being roused with a warning to quit, or by a fiat that may make her a beggar or a prisoner. Did her situation afford any prospect of improvement, it would lessen the sentiments which her great misfortunes inspire; but wherever she turns her eyes she can witness only affliction and dismay. Even as a mother she is cut off from the pleasure of that redeeming hope which softens the present distress of a parent; for she sees none of her descendants capable of contending with the staunch destruction that has been let loose on the race of Austria and the Bourbons. Her second son, prince Leopold, was sent in a late expedition to the coast of Naples, with some expectation that he would distinguish himself. The expedition failed; and the prince in many respects disappointed the hopes of his mother. Before he had time to land from the frigate that brought him back to Palermo, she went, it is reported, in a private boat alongside. The prince, recognising her, hastened to present himself; but she spurned him away in a passion of grief and vexation, bitterly upbraiding him with the mortification which he had added to the misfortunes of the family."

Certainly from this character of the queen, and we have no doubt it is a just one, we should not have anticipated the conduct she has pursued. It might have been expected that she would feel her dignity hurt by the conviction that a British army alone protected her, and that her island was in their occupancy; but this feeling, it might have been imagined, would have been completely swallowed up in her detestation and fear of him who had shorn her of her dignity.

and rendered it necessary that she should be defended by foreign troops. But what is the fact: much of what she did, and of what she intended, is not publicly known. But this is known, that the greater part of the subsidy which she received from us, was either not employed in the defence of the island, or was employed in organizing and supporting men strongly believed to be in the pay of Bonaparte; that she forgot in him the enemy of her family, the despoiler of her throne; and viewed him only as related to her by his marriage with a princess of the house of Austria; that she overlooked in us, all we had done for her, and regarded us only as standing in the way of her design to throw herself and the island into the hands of the French;

that lord William Bentinck, our new ambassador there, had scarcely landed before he found the politics and the plans of the queen so decidedly hostile to England, and favourable to France, that he judged it necessary to return home for fresh instructions; and finally, that our government actually meditated the scheme of occupying the island as our own, as the only means of defeating the purpose of the queen. If this intention should be carried into execution, a regard to our own interests will produce that benefit to the Sicilians, which we hesitate to confer from the very delicate scruple of not interfering with a government not more hostile to us than it is prejudicial to its own subjects.

## CHAPTER XIV.

*History of the Military and Naval Operations of Great Britain during the Year 1811—Plan and Arrangement proposed in detailing them—Island of Anbalt—Importance of this Island to Britain—Reasons why the Danes were anxious to recapture it—Preparations made by them for that Purpose—Particulars of the Attack—Great Inferiority of the British Garrison—The Danes completely repulsed—Circumstances which render this Repulse most honourable to the Garrison—Naval Action in the Mediterranean off the Island of Lissa—The French attempt to break the British Line, but are defeated—Remarks—Gallant Naval Exploit in Corsica—completely successful—Naval Adroitness in the Mouth of the Garonne—Obstinate Engagement off the Island of Madagascar between three French and three British Frigates—The Enemy beaten—Remarks.*

WE shall pursue our accustomed plan in giving the detail of the naval and military operations of Great Britain during the year 1811: that is, leaving out for the present all notice of the splendid and glorious exploits which distinguished our military operations in Spain and Portugal, we

shall confine our narrative to those insulated events in different parts of the world, which, from not being carried on upon so large a scale, are alone not to be compared with the events of the campaign in the peninsula. Of these events, the most important and interesting, either on account of the real and substantial

substantial benefit which they produced to the political strength or the commercial relations of this country, or from the glory which they shed on the British character for skill and valour, are,—the defence of the island of Anholt, in the Baltic sea; the naval exploit in the mouth of the river Garonne; the naval action off the coast of the island Madagascar; and the capture of the islands of Bourbon, Banda, and Batavia.

In detailing the particulars of some of these transactions, the reader will notice with satisfaction and pleasure a more close, constant, and successful union of sentiment and co-operation of conduct between our military and naval commanders than has generally happened. In others are conspicuous that cool and collected intrepidity and skill which so eminently distinguish British seamen, and which, joined to their habitual conviction that they are unconquerable, gives them such manifest advantage over the enemy; so much so, indeed, that now the basilisk eye of a British seaman is amply sufficient to daunt and paralyse a very superior foe.

The island of Anholt, situated in the Baltic sea, had been taken possession of by our troops, nearly on the same account, and to promote the object, as had induced our government to occupy Heligoland; namely, for the purpose of being made a *dépôt* for our colonial produce and our manufactures. Besides this, the possession of it was of great importance, in order to secure a place of refuge (not very safe, indeed, either from the attacks of the enemy's ships, or, in all winds, from the violence of a Baltic storm,) for the numerous convoys of merchantmen, which

we even yet send into that sea. Our occupation of it was of course an eye-sore to the Danes, to whom it had formerly and for a great length of time belonged. Very early in the spring of 1811, the Danish government resolved, if possible, to regain possession of this island; they had been prevented from carrying this design into execution during the fall of the year 1810, because the British ships of war kept on their station in the Baltic till the frost and ice set in, so that after they left this sea the winter was too far advanced. It would have been attacked very early in the spring of 1811; but on account of the extreme backwardness of the season, the gun-boats destined for this service could not be got out of their winter quarters in the lakes, where they were frozen up.

On the 23d of March, however, every thing having been prepared, the flotilla and the transports assembled in Gierrillo bay: the former consisted of twelve gun-boats, and the latter of the same number, having on board nearly 3000 men. The garrison of Anholt was very small in comparison, consisting of only 350 marines, and 31 marine artillery, with four howitzers; the whole were under the command of captain Maurice. Besides these troops, the Danes looked for no resistance from any other quarter; having reconnoitred the island, and found only one schooner lying near it. The only part of Anholt that was fortified and capable of making resistance, provided the Danes effected their landing, was the light-house.

On the morning of the 26th of March, before the day began to dawn, the signal that the enemy were in sight was given by the out-piquets on the south side of the island.

island. As captain Maurice had received intimation some time before that the Danes were preparing to invade and attack the island, he had put every thing into such a state, as to give them a most determined resistance and opposition. Accordingly, when the signal that the enemy were in sight was given, the garrison were immediately put under arms; and captain Maurice himself, at the head of two hundred infantry and the brigade of howitzers, proceeded to oppose the landing of the Danes. When, however, he was enabled from an eminence to command a view of the point of attack, he perceived that the enemy, having been favoured by a thick fog, (common at this time of the year in the Baltic, early in the morning,) had already effected their landing. They were now advancing with considerable rapidity and in great numbers, and apparently under a firm persuasion that, having accomplished the invasion, the conquest of the island would speedily and easily be achieved. It was, therefore, absolutely necessary for captain Maurice to take the most prudent and skilful measures without the smallest loss of time, and to carry them into execution the moment he had determined upon them; for the enemy not only greatly out-numbered him, but, enabled by this circumstance, they greatly out-flanked both his wings. Their object, as appears by the Danish account of this transaction, (an account, it may be remarked, much more candid and consistent with truth than a vanquished enemy generally gives,) was to force the British commander, by the danger of being outflanked and surrounded, to retreat into the fort. As they had gained a footing on the island, they pushed forward

to the fort; captain Maurice, with his small but intrepid band, slowly retreating before them in the best possible order. In this retreat the British sustained no loss, notwithstanding the enemy were within pistol shot of the rear, and pushed on apparently with an intention to take the fort by storm. Such, indeed, from the Danish representation, was their object. Twice they attempted it; at first under the command of a naval lieutenant, and afterwards with 650 men under major Melstued, aided by 150 more, besides the seamen from the gun-boats. While they were making this attempt to take the fort by storm, the flotilla lay round it and commenced a heavy firing against it: but though the Danish troops displayed the greatest bravery, and were so very superior in point of numbers, yet the troops opposed to them were British, and headed by an officer on whose skill and bravery they had the utmost reliance and confidence.

The Danes were received with such a heavy and well-directed fire from Fort York and Massarene batteries, that they were compelled to fall back and shelter themselves under the sand-hills. As, however, the garrison and fort were a good deal incommoded by the fire of the gun-boats, captain Maurice made a signal for the Tartar and Sheldrake cutters to attack them: this they were prevented from performing for some time, on account of their progress being impeded by an adverse wind. In the mean time a very heavy fire was kept up by the Danish gun-boats, in order to assist and conceal another attack by the troops. These troops, having marched to the west part of the island, took up a strong position on the northern shore, covered with sand,

sand-hills, and by the breaks and inequality of the ground. At the same time, another column attempted to carry the Massarene battery by storm: they also were defeated in their attempt, and obliged to retreat under the protection of the sand-hills. At one time, however, the enemy had advanced so far towards the accomplishment of his object, as to have gained the outworks; but cartridge-shot from forty pieces of cannon drove him back with great loss. At this time the Danish commanding officer, after having fought most bravely, lost his life. This event evidently disheartened his troops; for they no longer manifested that intrepidity or that determination, notwithstanding their repulses, to renew the attack, which they had displayed while their commanding officer was alive and at their head. Panic-struck by the loss of their chief, the Danes seemed now only solicitous to cover their retreat, and protect themselves from our attack and fire under the sand-hills.

At this period of the engagement lieutenant Baker of the Anholt schooner, with great skill and gallantry, anchored his vessel on their flank, and opened against them a tremendous and well-directed fire. This fire evidently did great execution, and convinced the enemy that the sand-hills could afford them no secure and effectual protection. In this situation, finding it impossible to advance or retreat, and exposed to the destruction of all their troops if they continued where they were, the enemy hung out a flag of truce and offered to surrender upon terms. Captain Maurice, however, sensible that they were absolutely and entirely in his power, refused to listen

to such a proposal, and required them to surrender themselves unconditionally.

This, to such men as the Danes, especially when the requisition came from an enemy so very inferior in number, and whom, when they left their native shore, they reckoned upon easily subduing, must have been mortifying in the extreme. Accordingly, they hesitated for some time, but at length found themselves under the necessity of complying with captain Maurice's proposal. During their hesitation, the British commander, in order to prove if possible still more the hopelessness of escape or defence in which the Danes were placed, ordered the schooners to approach nearer the enemy's gun-boats, for the purpose of forcing them to quit their station, and thus leave their countrymen cut off. This order had the desired effect; the gun-boats got under weigh: and as soon as the Danish commander perceived this, he agreed to surrender unconditionally.

There was still another column of the enemy on the south side of the island. This column, however, was speedily compelled to submit to the same fate as their countrymen. When the Danes first landed in Anholt, they had stationed a corps of reserve on the west side of the island; these began their retreat as soon as they witnessed the unsuccessful result of the attack. As it was of the utmost consequence to cut off this reserve, if it could possibly be accomplished, captain Maurice put himself at the head of the troops in order to pursue and attack it. As, however, the prisoners he had already taken were much more numerous than all the garrison, he was compelled to leave behind him the greatest part  
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of his troops, and to trust to the tried bravery of the few that accompanied him acting upon the dejected spirit of those he was about to attack. No doubt can be entertained that he would have succeeded in increasing the number of his prisoners by the capture of the whole of the reserve, had they not been strongly protected by the gun-boats, which were drawn up close to the shore for that purpose. Under these circumstances, of a very inferior force opposed to one not only numerically superior, but aided by fourteen gun-boats, captain Maurice was reluctantly compelled to abandon the enterprise.

In this most splendid and successful enterprise the British lost only two killed, while the number of the wounded amounted only to thirty men. The enemy, as might be anticipated from the account we have given of their mode of attack, suffered very severely: five of their officers, including, as has been already mentioned, their brave commanding officer, were killed; and sixteen officers and four hundred and four rank and file were taken: besides, there were a great number both of officers and men wounded.

Perhaps, in the annals of British heroism and success, (and these annals are not meagre or common in their details,) there is not to be found one instance more conspicuous, in point of successful bravery, than this defence of the island of Anholt by captain Maurice and his brave little garrison. There are many circumstances to be taken into the account, before we can justly appreciate their behaviour in that degree which it deserves. The assailants were Danes; a nation certainly in point of courage not unworthy of being compared with Britons;—they were Danes engaged in an at-

tempt to retake an island which had belonged to them for such a length of time, that it might as justly be considered as forming part of their native land, as Zealand itself. This island too was situated in their own sea, almost on their own coasts; it was attacked too at a time of the year when the naval superiority of Great Britain could be of no avail;—before her powerful fleets could, on account of the season, enter the Baltic. When to all these circumstances, which we have detailed because they may not immediately occur to the reader, are joined the more obvious circumstances of an attacking force, nearly ten times as great in point of numbers as the troops who had to defend the island; of this force being supported by gun-boats, and of their having been able to effect their landing before the garrison were aware of it; when all these circumstances are taken into consideration and account, and the result of the transaction is duly weighed, certainly few will hesitate in affording to captain Maurice and his brave garrison the well-merited praise, that they are worthy of being natives of that land which gave birth to Nelson.

Before we turn our attention to the naval exploit at the mouth of the river Garonne, in which the adroitness of the British sailors was uncommonly conspicuous and successful, we shall notice two very brilliant naval achievements in the Italian seas. Early in the month of March an English squadron, consisting of the *Amphion*, of 32; the *Active*, 38; the *Volage*, 22; and the *Cerberus* of 32, under the command of captain Hoste of the *Amphion*, discovered off the island of Lissa a French squadron, consisting of five frigates, one corvette, four

four brigs, two schooners, one gun-boat, and one xebec. The enemy, as soon as they perceived the British fleet, formed themselves into two divisions, and bore down under a press of sail in order to attack them: thus endeavouring to carry into execution against ourselves, our own system of naval tactics; as by thus dividing their force they designed, if possible, to break the British line. The attempt, however, did not succeed; and the French commodore, who had taken upon himself the task of breaking the line, next attempted to round the van ship of the British squadron, and thus, by engaging to leeward, to place us between two fires; but, in the act of wearing for this purpose, his ship went on shore on the rocks of Lissa.

The enemy, nothing dismayed by the fate of their commodore, still persevered in their resolution and attempt to place the British ships between two fires: for this purpose, their starboard division passed under the stern of the British ships and engaged them to leeward, while their larboard division tacked and remained to windward. Here also the French displayed naval tactics much superior to what they usually exhibit: their numerical force in this action was much greater than that of the British, and by the judicious position of their ships, some to leeward and others to windward, they reaped the utmost possible advantage from this superiority. It is probable, that having thus succeeded so far, in turning as it were our own manoeuvres against ourselves, they anticipated the same result which had uniformly followed when they had been attacked by us in this manner. But they were doomed to be disappointed: though they dis-

played more than their accustomed skill, and followed up that skill with no inconsiderable share of activity and bravery, yet they were met by superior skill, activity, and bravery. The knowledge that a British seaman possesses of his profession is not so routine and mechanical, as to be baffled and serve him in no stead when he is placed in unusual circumstances; nor even when, as in the present instance, his own weapons are turned against himself. Every principle of naval tactics, and every modification of those principles, are so completely and utterly under his command, that he can apply them without hesitation or delay to any emergency; while the promptitude and skill of the common seamen are such in the management of the ships, that what the captain orders is sure to be speedily and most adroitly performed. Had this not been the case,—had the knowledge of our naval officers in this well-contested engagement been superficial and confined,—or had our seamen been disconcerted or awkward when they found themselves in that position attacked, in which they had been accustomed to be the assailants, it is not improbable that the battle would at least have been dubious in its result. Such however it was not: notwithstanding the British squadron were exposed to a most tremendous and raking fire, the enemy gained no other advantage: he made no impression on our ships. At eleven o'clock, about two hours after the action commenced, one of the French frigates struck her colours, and a short time afterwards another followed her example. These two vessels had attacked the British fleet to the leeward; those who had attacked to the windward, see-

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ing the fate of their companions, endeavoured to escape: but they were pursued as close as the disabled state of the British squadron would permit; and one of these was compelled to surrender, leaving the British in possession of the *Corona* of 44 guns, and the *Bellona* of 32 guns: besides these, the *Favourite* of 44 guns, which had run on shore on the rocks of Lissa, shortly afterwards blew up. There escaped of the French squadron the corvette and two frigates, which took shelter in the port of Lessina.

It has been already mentioned, that one of the frigates engaged to the leeward of the British fleet, namely, the *Flora*, struck her colours. At this time the *Amphion*, captain Hoste, to whom she struck, was closely engaged with the *Bellona* who was endeavouring to rake him. In this situation, he could not spare a boat to take possession of the *Flora*. As, however, captain Hoste considered this vessel as his own, he ceased to molest her, though both he and captain Gordon of the *Active* had it in their power to have sunk her. She, however, took advantage of these vessels being employed, the one in attacking the *Bellona*, and the other in pursuing the flying enemy, to hoist her colours again and get off. In consequence of this dishonourable behaviour, captain Hoste, after the action had ceased, wrote a very proper and spirited letter to monsieur Peridier, the captain of the *Flora*, claiming her as his prize, and calling upon him and his officers as men of honour to attest that she had struck her colours. This letter was not replied to by captain Peridier, but by the captain of the *Danaë*, under the pretence that the former was too ill

of his wounds to write; a most unworthy artifice to prevent the necessity either of his attesting a falsehood, or of his consenting to give up his vessel. It is also worthy of remark, that the letter actually sent in answer to captain Hoste was neither signed nor dated. The statement it contained was, that the colours of the *Flora* had been cut down by a shot, and that she never intended to strike them.

Whoever has read attentively the accounts of the different naval actions in which the French have been engaged since the revolution, must recollect several instances of a conduct equally mean and dishonourable; while it would be difficult to point out a single instance of such conduct in the naval officers of France who served under the old regime. Whatever may have been the faults of the old government of that country, it is certain that it infused a spirit of honour to which at present it is very much a stranger. It is not the least of the evils to which the present military spirit of the French ruler has given birth, that in his own conduct, as well as in that of his officers, every advantage is deemed fair which can be gained over an enemy, even though that advantage is gained at the expense of truth and honour.

After the engagement, captain Hoste found that the French fleet had on board five hundred troops, for the purpose of garrisoning the island of Lissa with every thing requisite for its fortification; so that, besides the capture of the frigates, this victory performed an important service, by preventing the possession and fortification of this island. The loss in this action was very severe, though not more so, than, from the circumstances of the great superiority of the enemy, and

and their having been enabled to rake the British, might have been expected and anticipated. There were fifty killed, and one hundred and fifty wounded.

The other gallant naval enterprise, to which we alluded as having taken place in the Méditerranæan, was performed off the island of Corsica by the Pomone, Unité, and Scout, under the command of captain Barrie. This officer had received information that the enemy had three vessels lying in Sagone bay, in the island of Corsica; and though the position they occupied was naturally, as well as artificially, very strong, he determined to lose no time in attacking them. He was induced to form this resolution, from knowing that the enemy's vessels were taking in timber for the use of the ships that were building at Toulon; and if these vessels could be taken or destroyed, it would be impossible, during the remainder of the season, to procure any timber from that island. On the 30th of April captain Barrie arrived in Sagone bay: at first he determined to attempt to take the fort and battery, under which the enemy's vessels lay, by surprise; but this design was abandoned, owing to the Unité not being able to get up in time. As soon as captain Barrie got near enough, he observed that the enemy were in possession of the heights, and ready to receive and repel his attack. There were about two hundred regular troops with field pieces, and a great number of the inhabitants armed. On the battery four guns were mounted; and on a martello tower above the battery there was one piece of cannon. The three ships of the enemy were moored within a cable's length of the battery, with their

cables on shore, and their broadsides towards the sea.

Captain Barrie immediately determined on his plan of attack, though there were many obstacles in the way. The bay was so small that it was impossible to approach near enough, without being exposed to a raking fire both from the battery and the ships: it was therefore thought necessary at first to attack them with the boats; and the crews, notwithstanding the difficulty and danger were so great and so close before their eyes, that they could not but see it in its full force, volunteered their services to land: but a breeze springing up, captain Barrie preferred having the ships towed into the bay. At six o'clock in the evening the action was commenced within range of grape: it lasted without intermission till about half after seven, when one of the enemy's vessels was observed to be on fire: shortly afterwards the rest also were in the same condition, and the battery and tower were silenced. Thus in a very short time the whole object of the attack was completely answered, and that with the very trifling loss of two killed and nineteen wounded.

The exploit at the mouth of the Garonne was of a different character; and exhibits British seamen as capable of deceiving as well as of conquering the enemy. On the 24th of August his majesty's ship Diana, commanded by captain Ferris, in company with the Semiramis commanded by captain Richardson, being near the Cordovan light-house, discovered four of the enemy's vessels at the mouth of the river Garonne, within the shoals, under the protection of an armed brig. It appeared to captain Ferris impossible to attack them openly; he determined therefore to have recourse

recourse to a stratagem; and this required the utmost promptitude and coolness in the execution, lest before the enterprise succeeded the deceit should be discovered. The English vessels therefore approached the mouth of the river under French colours; and so completely were the enemy deceived that a pilot came on board them: by their direction and assistance the ships were anchored after dark near the batteries at the mouth of the river. Captain Barrie then dispatched three boats from the *Diana*, which were seconded and supported by four from the *Semiramis*. Still the enterprise was hazardous and of doubtful success; because it did not depend so much upon the bravery of those employed as upon their promptitude and secrecy. The convoy which the boats were sent to attack and destroy lay about four miles higher up the river: at first the tide was adverse to the progress of the boats; about the middle of the night, however, it became favourable; and the convoy was captured. Still there was a difficulty to be encountered and overcome in getting the captured vessels and the boats safe to the ships, as they were much higher up the river than the gun-boats. Captain Barrie, therefore, in the morning resolved to attack the gun-boats; but, at the same time, to keep up the artifice he had hitherto so successfully practised. And in this latter part of the enterprise he was equally fortunate; for he deceived the enemy so completely, that the captain of the port, who also commanded one of the armed brigs, came on board the *Diana* to offer his services, and was not aware that it was an English ship till he was actually on her deck. In a very short time the two armed

brigs were captured; and captain Barrie in his official dispatch mentions an incident most descriptive of the character of British seamen. "It adds (says he) to the lustre that the officers and men achieved, the humanity they displayed to the overpowered captives in putting them below without the force of arms and an unnecessary effusion of blood."

It was utterly impossible now for the enemy to be longer deceived: accordingly the batteries opened their fire upon the ships; but the *Semiramis*, as if in contempt of their fire, pursued and drove on shore, and there burnt under their very guns, the armed brig the captain of which had been decoyed on board the *Diana*. In the whole of this transaction we had only three men wounded. Five vessels of the enemy were taken, and one was burnt.

In narrating the particulars of the action off the island of Lissa in the Mediterranean, we did justice to the skill and bravery displayed by the French squadron: we have now to notice another naval engagement, in which, though they did not exhibit the same skill, they displayed equal intrepidity. Soon after the capture of the Isle of France, three French frigates, full of troops for its protection, were known to be in the Indian seas, and at first it was hoped that, being ignorant of the capture of the island, they might enter its harbour, and thus become an easy and bloodless prey. This, however, did not happen: still there were well-grounded hopes that they would ultimately fall into our hands; since, being destitute, or nearly so, of water, it would be absolutely necessary that they should proceed somewhere in those seas to procure that

that article before they could think of returning to Europe. Three frigates, therefore, the *Astrea*, *Phebe*, and *Galatea*, and the *Racehorse*, a brig, were dispatched in quest of them: for a long time their search was fruitless, notwithstanding they spread themselves widely over the Indian seas. At last it occurred that the island of Madagascar was the most likely place to find them, or rather that it was the only place to which they could resort for a supply of water. On the 19th of May the enemy were discovered off the coast of that island: they were immediately chased, but it was upwards of ten hours before they were come up with. The English seamen, in the mean time, manifested their usual impatience for battle; and many of them expressed a wish, that during the chase the *Racehorse* might be outsailed, in order that there might be an equality in point of force and numbers between them and the French! At last the *Astrea* came up with them, and sustained the fire of two, before the *Phebe* and *Galatea* could join and support her. The weather was very favourable to the enemy; for, by falling calm every now and then, it left first the *Astrea*, and then the *Phebe* and *Galatea* exposed to their whole fire. The *Galatea* was so much damaged as to be obliged to make the signal for immediate assistance: while the other two ships were affording her this, the enemy made sail in order to escape. As the *Galatea* was unable to renew the attack, the *Phebe* and *Astrea*, after assisting her, went again in pursuit of the French. Upon coming up with them they found that the force on each side was still equal; for the *Nereide*, one of the enemy's squadron, had been as

completely disabled as the *Galatea*, and had, like her, gone out of the action. The battle recommenced by the *Astrea* pouring a dreadful broadside into the French commodore's ship (*La Renommée*): instead of returning it, she made an attempt to board the *Astrea*; which if she had been able to effect, she most probably would have carried her, as she was full of soldiers. This, however, was prevented by the skillful manœuvres of the *Astrea*.

The scene now was truly awful: the night was dark and dismal, interrupted only by the flashes and noise of the four ships; for the *Phebe* by this time had come up, and attacked the French commodore under the stern. After a very gallant resistance she struck; and the *Clorinde* (the name of the third ship) soon followed her example. But in this case, too, the want of principle and honour, too often evinced by the French of the present day, was manifest; for the *Clorinde*, perceiving that the English had not a boat that was in a condition to be sent to take possession of her, made all sail away: she was pursued for three hours, but the *Astrea* and *Phebe* were both too much disabled to carry on the pursuit. The slaughter was very great on board of the French commodore's ship, *La Renommée*, there being upwards of 100 killed and wounded; amongst the first was the commodore himself: he was wounded early in the engagement, but refused to quit his quarters; when another shot killed him. On board the *Nereide* there were 130 killed and wounded; her captain also was killed. The action from first to last continued seven hours, during which the attack was renewed four times; yet on board the *Astrea* there were only two men killed

killed and fifteen wounded. This comparatively trifling loss seems to have proceeded from the circumstances of the enemy elevating their guns too high, and of our seamen being very attentive to the manœuvring of their sails. On board of the *Phebe* there were twenty-four killed and wounded. The *Galatca*, not having been engaged in the night action, it might have been supposed would have escaped with but little loss. This however was not the case, for she had sixteen killed and forty-five wounded.

On the Saturday after the action the *Nereide* was discovered lying in Tamatave bay, in Madagascar. As the entrance to this bay is extremely dangerous; and as, besides, she was under the protection of a battery, and moored across the entrance, it was thought imprudent to attack her. A flag of truce was sent in, to summon them to surrender: this they agreed to do, on condition they should not be considered as prisoners of war, but should be sent to France: with these terms the English commodore complied, and the *Nereide* was taken possession of.

In the opinion and judgement of some of our readers, perhaps we may seem to have dwelt too fully and minutely on the particulars of these naval actions; more so, they may allege than either their own merits deserve, or than is proportioned to the space and notice we have allotted to other portions of British history. This objection certainly wears the appearance of being appropriate and forcible; but upon a close examination it will be discovered not to be well-grounded. The state of maritime warfare between Great Britain and France is become of such a nature,

that no actions on a grand scale, where fleets are engaged, or bringing after them most important and decisive results, can now be expected. The times of their occurrence are gone by. France can meet this country on the sea, now, only with a few detached vessels. But though engagements between a few frigates do not strike the mind so much as naval actions between numerous and formidable fleets, yet they are perhaps more advantageous for the exercise and display both of nautical skill and enterprise, and of real courage. We must also do the enemy the justice to acknowledge, that they generally fight better when their single frigates, or at least when a few ships are opposed to us, than when they meet us on our element with a large fleet. As therefore there can now be no instances of our naval superiority displayed in engagements on a large scale, we must keep an attentive eye upon those that do occur, as they give proofs that our superiority still continues, and that we still have in our navy both officers and seamen, who, when the occasion called for it, and the opportunity occurred, would rival the heroes of Trafalgar.

Besides, an attentive perusal of the details of these actions between our frigates and those of the enemy is more adapted; as we have already remarked, to bring out to particular and distinguished notice nautical skill and enterprise, and also to render them more perfect. In the action between the French squadron and ours off the island of Lissa in the Mediterranean, the French had an opportunity of executing that particular manœuvre, on which many are disposed to think that our naval superiority and success mainly, if not entirely, depend;

depend: we allude to breaking the line, and making the attack at once on the leeward and windward side of the foe; and this manœuvre they undoubtedly endeavoured to execute with considerable address and skill, and in part, indeed, succeeded. But the result clearly demonstrates that there is something more, something much deeper and far beyond this manœuvre, to which our naval superiority and success ought justly to be ascribed. Indeed, till the French officers and seamen can rival ours in that cool courage

and skill, which makes the management of a ship, under the most difficult and extraordinary circumstances that can possibly occur during a naval engagement, so very easy and complete, that their undivided thoughts are occupied with the battle; and moreover, till, in addition to this, they can fill their minds with the firm, unwavering, and spontaneous conviction that they are invincible,—they must in vain expect to meet us on the ocean with the smallest chance of success.

## CHAPTER XV.

*Military Operations in the Indian-Sea—Importance of the Isle of France to the Enemy—Description of it—Reasons for attacking it—Particulars of the Attack and Capture—Observations on the good Effects resulting from Cordiality and Cooperation between our Military and Naval Commanders—more common now than formerly—probably one Cause why our Expeditions are successful—Remarks on the Importance of the Isle of France—The Isle of Banda attacked and captured—Batavia and the Island of Java—Plan formed by Lord Minto for taking them—Obstacles and Difficulties in the way of their Conquest—Sir Samuel Auchmuty commands the Expedition—Its lands—Admirable Plan of Attack drawn up by Sir Samuel Auchmuty—Carried into effect with the utmost Bravery and Success, notwithstanding the very great Superiority of the Enemy—who are all either killed or taken—Observation of Lord Minto on the Capture of the French Isles and the Island of Java.*

OUR great naval superiority had enabled us to strip the enemy of almost all his colonial possessions; and to put off to a very distant and uncertain period indeed, the realization of Bonaparte's wish and expressed intention of securing by the war he had engaged in against this country, "ships, colonies, and commerce." Still, however, France possessed in the Indian seas some very valuable colonies; valuable and important to her, both on account of their great fertility and

the nature of their produce, and as affording a strong protection and safe shelter to the numerous privateers which infested our East India ships in that sea. The island of Bourbon had already fallen; so that the Isle of France only remained which could properly be considered a French island. As, however, Holland had been actually, as she long had been virtually, a constituent part of the French empire, the British government resolved to attack and conquer the

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Dutch possessions also in the Indian seas. The first object of attack was the Isle of France. The following account of this island will fully point out its advantages, and may properly be given here as forming an appropriate introduction to our account of the expedition against it.

The Isle of France, according to the admeasurement of the abbé de la Caille, is not more than thirty-one leagues in circumference, about eleven in length, and seven in breadth, having a surface which measures 432,680 acres. It is described as extremely healthy, fertile, and abounding with the most romantic scenery.

The population of the contiguous isles of France and Bourbon is said to have been 121,000 in the year 1799, of whom a great proportion are negro slaves; and the military force consisted of 5,000 men. Raynal informs us, that in the year 1765 the population of the Isle of France was as follows:—1,469 white people, besides the troops; 1,587 Indians or free negroes; and 11,881 slaves. Since that period the population has probably very considerably increased.

The principal harbour of the island is Port Louis, which is situated in 20° 10' south lat. and 55° long. east from Paris. The tides are not very perceptible, those of the equinox rising not more than three feet.

With regard to its produce, the following are the most recent details. The soil of the island is very diversified. Although by its climate it is adapted for all colonial productions, it has not equally answered all the different kinds of cultivation which the inhabitants have endeavoured to naturalize. The plantations of coffee were the

first adopted; but other objects of cultivation, such as cotton, having appeared more profitable, coffee has not become so general as it would otherwise have been. The natives pretend that their coffee is superior to that of Mocha. The cotton, in its turn, has likewise been neglected, because the cultivation of indigo was become more popular. Several sugar plantations have succeeded. One of their governors, M. Poivre, formerly found means to introduce plants of the nutmeg, cloves, &c. from the Dutch spice islands. This experiment, however, did not prove successful; for Raynal tells us that most of the plants died, and the rest were not likely to bear fruit.

The principal advantage which the French derived from the island was, that it served as a point from which our commerce might be successfully annoyed in the Indian seas. The fatal experience of the East India company, and of the private traders on the coasts of Coromandel and Malabar, has proved that nothing could be better adapted for attaining that object. It served as the place of rendezvous for French frigates, where they could be refitted, and where they might retire with their plunder. It was a dépôt of captured produce, and in this view was resorted to by American traders, who brought that produce to Europe which the French were unable to convey in their own merchantmen. The destruction of such a nest of marauders is the principal advantage that we can derive from the conquest. In our hands it is impregnable as long as we command the seas, and perhaps may be rendered a station of some importance.

The abbé Raynal gives the following view of the political and com-

commercial advantages of this important island :

"The Isle of France must always be allowed to be one of the most valuable possessions for any nation desirous of trading to Asia. It is situated in the African seas, just at the entrance of the Indian ocean. As it lies a little out of the common track, its expeditions can be carried on with greater secrecy. Those who wish it was nearer our continent, do not consider that, if it were so, it would be impossible to reach the coasts of Malabar and Coromandel in a month's time, and the most distant gulfs in two months at most, which is an inestimable advantage to a nation, who, like the French, have no sea-port in India. This island, though in the same latitude as the barren and scorching coasts of Africa, is temperate and healthy. The soil is stony, but tolerably fertile. Experience has shown that it will produce most of the necessaries, and even of the luxuries of life. Whatever it may want may be supplied from Madagascar and from Bourbon, where the inhabitants have retained their simplicity of manners, and a taste for husbandry.

"Great Britain sees with a jealous eye her rivals possessed of a settlement which may prove the ruin of her flourishing trade with Asia. At the breaking out of a war, her utmost efforts will certainly be aimed at a colony that threatens her richest treasures. What a misfortune for France, should she suffer herself to be deprived of it!!"

Scarcely had the news of the preparations that were made for this long projected attack on the Isle of France reached this country, when the account came that the attack

had been carried into execution with the most complete and signal success. The land forces were under the command of general Abercrombie ; and the fleet under admiral Bertie. The fleet and land forces were collected in the Isle of Bourbon about the middle of November 1810, where they were detained some time under the expectation of being joined by the divisions from Bengal and the Cape of Good Hope. As these did not arrive, and the season was far advanced, the admiral and general had resolved to proceed on the enterprise without them; when fortunately on the morning of the 22d of November the Bengal division arrived. The fleet immediately sailed, and soon arrived off the Isle of France.

This island is nearly surrounded with a very dangerous reef of rocks, which makes a landing very difficult, even when the weather is favourable and calm, and highly dangerous, if not quite impracticable, when the wind sets on the shore. Besides this, the depth of water without this reef of rocks is so great that it was generally considered impossible to find a safe anchorage for transports off the island. Both these circumstances were well known to the commanders ; and they had therefore adopted measure accordingly. Before the landing was attempted, every part of the lee side of the island was examined and sounded with the most minute and scrupulous attention by commodore Rowley : by this means they not only discovered the bearings of the different concealed rocks, but fortunately in the course of their survey, that a fleet might safely anchor in a narrow passage formed by a small island, called the Gunners Coin, and the mainland : the openings in the reef were



so wide, and the sea so deep, that several boats might enter abreast. The only objection to this place of disembarkation was, that it would land the troops at a very considerable distance from Port Louis.

In consequence of the wind proving light or adverse, the whole of the fleet did not arrive till the 29th of November. No time was now to be lost; as the enemy, fully apprized of our design, and also of the particular spot where we intended to attempt a landing, were in a complete state of preparation and defence. It appeared however that their object was not so much to oppose our landing, as to reserve their force for the defence of Port Louis. The disembarkation was therefore effected with no difficulty or loss, the enemy who were collected on the shore retiring before our troops, and even evacuating Fort Marlastrî, the nearest port to the British which they occupied.

The landing having been effected thus easily, the next object was to prevent the enemy from occupying a thick-wood that lay by the side of the road, which it was necessary to pass along, in order to arrive at Port Louis. Such was however the rapidity of our march, and probably the panic of the enemy, that no opposition was offered by the occupation of this wood. It was the intention of general Abercrombie to have pushed on, after a few hours rest during the night-time, for Port Louis: but in consequence of the fatigue the troops had undergone from their long and arduous march under a hot sun, it was judged more prudent and expedient to take up a position at Moulin à Poudre, about five miles from the town. This measure was rendered necessary also by

the total want of water, under which the army had suffered since they effected their landing.

As an obstinate and probably a tedious defence on the part of the enemy was expected, general Abercrombie thought it absolutely necessary, before he advanced to the main object of his attack, to secure supplies for his army: for this purpose a communication with the fleet was opened and preserved, by the capture of the batteries at Tombeau and Tortue.

Soon after the army were put in motion again, the design of the enemy became apparent: the route of the British lay along a road so narrow that they were compelled to march in columns, presenting a weak front to the attack of the French, while there was a thick wood on each flank of the army during this part of its progress. Almost immediately, therefore, as the army was put in motion, the enemy with several field pieces took up a strong position, on their route, and attacked the main body. The advanced guards were formed of European troops, under the command of lieutenant-colonel Campbell of the 33d regiment: as soon as the attack commenced, these troops formed with as much order and regularity as the narrow and broken state and nature of the road permitted: having formed, they had recourse to the British weapon, the bayonet, and as usual with the most signal and complete success. The enemy were charged and compelled to retire with the loss of his artillery, and with many killed and wounded. On our side lieutenant-colonel Campbell and another officer fell.

After this, the British army took up a position in front of the enemy's lines, just without cannon shot. On the

the morning of the 30th, every preparation was made for a general attack; when the French commander, general de Caen, proposed to capitulate. The terms on which he offered to surrender the island were modified and altered by general Abercrombie and admiral Bertie; and thus altered and modified they were agreed to by general de Caen.

When we consider the superiority which we possessed, the terms may be deemed rather too favourable to the French: by the first article of the capitulation, the land and sea forces were not to be considered prisoners of war, but were to be conveyed at the expense of the British government to some port in France. In all our conquests and hostile proceedings against France, we ought constantly and clearly to bear in mind the utmost importance it is of to break the spell of their military superiority and success, to which in a great degree they are indebted for their having been able to subjugate the nations of the continent of Europe. It is not enough that we should show to the world that we can beat them by land, but also that we can and do beat them so utterly, that they have no claim to ask or expect other than the most unconditional and abject terms. We should remember also, with what contempt they affect to speak of British military prowess and skill; and ought we not therefore to prove that they and not we—when the troops of the two nations are opposed to each other—are inferior in these respects? But in every instance where we grant them very favourable and honourable terms, we keep up, in some measure, the delusion with respect to their mili-

tary superiority, which they are so anxious to circulate. At least we do not do all we can, and all we ought, to destroy it.

Our loss in this brilliant exploit was comparatively small: there were 80 killed, and about 150 wounded and missing: of the ordnance we took, there were 29 thirty-six pounders; 81 twenty-four pounders; 46 eighteen pounders; 22 twelve pounders; and 31 mortars: in all 209 pieces. The ships in Port Louis (or Napoleon, as the French now call it) were one of 50 guns, two of 44, one of 48, two of 36, one of 22, and one of 14; besides a great number of merchant vessels and privateers. The merchant vessels were in general very valuable; and as the island had for a long time been the *dépôt* for the prizes which the French privateers had captured in the Indian seas, it contained very valuable booty to a very large amount.

In every respect, and in every point of view, this capture was most honourable to our arms, and cannot fail, either in war, or when the terms of a general peace are arranged, to be highly advantageous and beneficial. The utmost cordiality subsisted, not only between the general and admiral, but between all the military and naval officers who were employed on this service. Perhaps we may not be speculating too widely from truth or probability, when we hazard the conjecture, that the more common and complete success of our expeditions very lately, ought fairly and justly to be attributed to this cordiality between our naval and military officers. Certain it is, that whoever reads the history of our expeditions during the last reign, and the greater part of this

reign, must be convinced that they failed as often from jealousy, or want of co-operation and cordiality between the naval and military commanders, as from any other cause. In the first instance, every thing depends upon cordiality and co-operation, with respect to the disembarkation of the troops: if the commanders differ about the place where this should be effected, or about the manner and time of effecting it, the expedition must commence very inauspiciously: afterwards, if we suppose it be actually landed at the time and place most proper and advantageous for their future progress and success, still cordiality and co-operation are necessary. In most cases, the army must draw its supplies from the ships; and in many instances, if the armed vessels are properly stationed and employed, they may second most effectually and opportunely the operations of the army. If the expedition should prove unsuccessful, and there should be a necessity for a re-embarkation in the face of a superior foe, with troops worn out, harassed, and dispirited, in what a forlorn and desperate situation will they be placed, if the navy does not protect their re-embarkation. All these points, in which mutual cordiality and cooperation are requisite to the success of an expedition, are sufficiently obvious; but there must be many other points, in which they are not less desirable. It is therefore not making too sweeping an assertion to maintain, that next to the choice of able and experienced commanders both by sea and land, the success of an expedition must depend upon those commanders being animated by one spirit, and working cheerfully and zealously together for the attainment of one great end.

We have said that the capture of the Isle of France was not only honourable to the British arms, but that it must also prove highly beneficial and advantageous, either in war, or when the terms of a general peace are arranged. It is almost needless to expatiate on the benefit and advantage it must be of to us, while the war continues: if it were only that by its capture we deprive the enemy of every place of refuge and protection for the numerous privateers which infest the Indian seas, it ought to be deemed an important acquisition; but in another point of view, which to many indeed may seem fanciful and unsubstantial, it ought to be hailed as an important conquest. "It leaves the high-way of the seas open and unimpeded to our course, it gives the meanest of our dependents liberty to go where he pleases. There is no longer any interference of petty properties with our manerial right upon the ocean; no one in any angle or recess thereof has the power to call upon those whom we may permit to sport, for a sight of their deputation." Fanciful and unsubstantial as this view of the subject may be deemed, it is one of great importance. France, by the moral effects (if the term may be so applied without prostitution) which her career of victory has produced, has been enabled to keep the world in awe, and blinded to her crimes: to her means of victory we should oppose such as are in our power, that are similar in their nature and consequences. The sea is ours: let it be so understood and acknowledged by the world; but, at the same time, let our conduct on this our natural and legitimate domain form a direct and striking contrast to the behaviour which France exhibits on the land. While she

she claims and seizes that to destroy and ravage,—to spread wide and found deeply the empire of slavery and wretchedness,—let us claim and seize on the sea, in order to counteract, as far as possible, her schemes; so that, while by our naval supremacy there can be no doubt that we share the sovereignty of the world with her, there should exist as little doubt that our motives and objects in so doing are completely the reverse of hers; that while she shall be long regarded as the destroying angel, we may be hailed as the angel that blesses and benefits mankind.

Of the advantage which Great Britain would probably derive from the acquisition of this island, at the period of a peace between her and France, it is needless to say much; for it is obvious that the only method in our power, by which we can hope, either during the war, to counterbalance the great accession of territory which the French arms have acquired; or at a peace to narrow the extent of her empire, consists in conquering the islands. Thus, if it is thought fit, we shall have conquests to set off against conquests; and it most probably will be as great an object with our enemy to regain his colonial possessions, as it must be with us to replace the nations of the continent in some respect on their ancient footing. But as the prospect of peace, unfortunately for mankind, is very remote and uncertain; and as besides, during the present disposition and power of the French, the nations on the continent could only regain a nominal independence, it may be more prudent and more conducive to the real interest of this country, formally to annex our most valuable and important conquests to the British empire. In our account of

the affairs of Malta, we took occasion to dwell upon this opinion, and it was in some degree acted upon soon after the conquest of the Isle of France; since in a proclamation to the inhabitants of that island, issued by lord Minto, as governor-general of India, they were led to expect and anticipate the formal, full, and unalienable annexation of the island to the British empire.

The next enterprise in the Indian seas, which comes under our notice, had for its object the capture of Banda Neira, the chief of the Dutch Spice Islands. On this expedition admiral Drury, commanding in that part of the world, sent the *Caroline*, Piedmontese, and *Baracouta*, under the orders and direction of captain Cole of the *Caroline*. On the 8th of August, 1810, this force was assembled near the island. Captain Cole, aware of the difficulties of a landing, and that the enemy had lined the shore with batteries and a strong body of troops to oppose him, thought it prudent to select 400 officers and men for the undertaking; but the state of the weather was such, on the night chosen for the attack, that not quite 200 could be employed on the service; and of those whom he was compelled to leave out, was the greater part of a detachment of the Madras European regiment, from whom he had expected the most steady support and assistance. The badness of the weather, however, which had prevented his employing the whole of the force selected for this enterprise, afterward proved favourable to him, and enabled him to advance near the shore with more secrecy. A heavy rain accompanied with darkness concealed the boats that were employed on this occasion, so effectually and so

long that they were enabled to land within 100 yards of a battery of ten guns. No time was lost in attacking this battery: it was taken in the rear; and without a single musquet having been fired, it became ours, at the very moment the enemy were at their guns with lighted matches. Day-light now began to appear; and as the most difficult and hazardous part of the enterprise was still to be achieved, the situation of this small corps became truly critical. The castle of Belgica was the next object of attack: towards this, directed by a guide, they marched without delay: as they approached it, the sound of the bugle calling the enemy to its defence was distinctly heard. Within twenty minutes after the British force arrived, the scaling-ladders were placed against the outer walls of the castle: these were soon carried; and the scaling-ladders, being hauled up, were placed against the inner work, under a sharp fire from the garrison. Nothing however could withstand the bravery of our troops: the enemy, after firing a few guns, fled in all directions, leaving the commander dead, and thirty-two prisoners. When the day broke out, the castle was completely in possession of the British; but the fort of Nassau and the sea-defences were still held by the enemy. The commander of the fort was summoned to surrender; but some delay occurring in his returning his answer, and the guns of the fort beginning to fire upon the Caroline, captain Cole sent a second flag, stating his determination to storm Nassau immediately, and to lay the town in ashes, unless the colours were instantly struck. This determined conduct had the desired effect; the colours were struck, and

the British gained possession of the two forts, and several batteries, mounting 120 pieces of cannon, and defended by nearly 700 disciplined troops and militia.

Although in the conquest both of the Isle of France and of Banda every thing that could have been anticipated and wished for, from the display and exertion of British skill and valour, was effected, yet in neither instance was the scene of action so extensive, the difficulties so great, the opposition so powerful, nor the result so truly splendid and important, as in the capture of Batavia, and the greater part of the island of Java. Lord Minto, governor-general of India, under whose auspices and directions the conquest of the Isles of Bourbon and France had been accomplished, had formed a plan for adding Java also to the British colonial empire. Batavia, the capital of this island, had long been the principal seat of government of the Dutch East India company; and from it and the adjacent islands, the Dutch in the days of their independence and prosperity had derived great wealth and commercial advantages. After they fell under the power of France, Batavia dwindled considerably; it still however was a place of considerable importance for the French to retain, and for us if possible to capture. On many accounts the retention of it was desired by the French; while they kept it, they preserved in some degree their character for power among the people of the East; and it would also serve, if peace were established, as a point from which they might extend their conquests. We have more than once adverted to the shock which is given to the French reputation for superiority, by their being deprived by us of their colonial

lonial possessions; while by the very same circumstance, not only our power but our influence is extended and increased. To these political considerations, which naturally induced the French to wish to retain Batavia, and us to conquer it, there may be added others of a minor character and importance. In consequence of our long-continued and decided naval superiority, the Dutch had not been able to transmit to Europe the products of their Eastern possessions, nor the money which they had for years accumulated there. At Batavia therefore, or at least in other parts of the isle of Java, much booty was expected. There was still another circumstance which rendered the conquest of this place of importance to us: while it was in the power of the enemy, from the shelter and protection it afforded to their cruizers, it was dangerous for our East India vessels to go to or come from China, by the nearest and in other respects the safest passage.

The enemy had by no means neglected the means and supplies necessary to protect and defend this very important colony. General Jansens, an officer of experienced courage, had the command of it, with a force of upwards of 10,000 men, supported by a numerous artillery. The island afforded many situations naturally very strong, and well adapted for defence: these had been fortified in the best manner that skill could supply; and as the preparation that was making in our East India territories for the invasion of the island was well known, the enemy had taken every precaution and adopted every means to oppose our landing and protect themselves. Besides these obstacles, which it would be ne-

cessary to overcome before this colony fell into our hands, the nature of the climate threatened to oppose great peril. Batavia is well known to be perhaps the most unhealthy spot on the face of the globe; and it was to be expected on many accounts that our troops would soon feel the effects of this pestilential climate. In the first place they must unavoidably undergo great fatigue, which of itself would render them more obnoxious to the disorders of that climate; nor could they expect to possess those means of prevention or cure, so easily and fully as the troops to whom they were about to be opposed. In the next place, the troops of the enemy having been seasoned as it were, and made acquainted with the most faint and remote symptoms of the epidemic, were less likely to become its victims than our army. At first sight the large force which the enemy had collected for the defence of the island, amounting, as has been stated, to 10,000 men, might have seemed to present an obstacle to its capture, utterly insurmountable, when the very inferior number of troops we could employ on the occasion are taken into the account. But it must be recollected that the greater part of these troops were Indians, who had never been opposed to disciplined European troops, and on whose firmness and courage little dependence could be placed. It is true, a considerable portion of the army which we sent out for the attack and capture of the island was also composed of native troops; but the native troops in our service in the East Indies have become by experience and discipline, and by being headed by European officers, though not equal to European troops, yet certainly in

in every respect and point of view much superior to the Indian forces of the enemy. Still, however, the difficulties which opposed themselves to the conquest of the island were very numerous and formidable, and could not have been overcome in the manner in which they were, had our commanding officer been less skillful, or our troops less brave.

This commanding officer was sir Samuel Auchmuty, a general who had rendered himself honourably conspicuous in the unfortunate and disgraceful affair at Buenos Ayres. After maturely weighing the different plans for disembarking his army, he resolved to effect it in the neighbourhood of Batavia. Accordingly on the 4th of August 1811, the troops were landed without opposition about twelve miles to the eastward of the city. The force of the enemy had taken up a very strongly fortified position at Cornelis: thither the British general determined to proceed without loss of time, having first taken possession of Batavia, in order that, by placing this city in his rear, he might be able to draw supplies for his army from thence. At first he was apprehensive that the road to Batavia being extremely strong, and, if well-defended, nearly impracticable, would present very formidable obstacles to his progress. In this, however, he was happily mistaken: the road was not disputed, nor even occupied, by the enemy; and the only obstacle he had to encounter was occasioned by the destruction of the bridge over the Angol river. When the British army had advanced thus far on their road to Batavia, that city was observed to be on fire; and the general naturally concluding that the enemy either

had evacuated it, or meant to do it, sent forward the advance of the army under colonel Gillespie to take possession of it. On the 8th of the month colonel Gillespie having erected a temporary bridge over the river, and gained possession of the suburbs, the burghers applied for protection, and surrendered the city without opposition, the garrison having on our approach retired to Weltevrede.

So far the object of the expedition had been attained without loss or opposition; and the capture of Batavia promised to forward and assist the ulterior and more important objects in a very considerable degree; for though the enemy, before they evacuated it, had destroyed large storehouses of public property, and had attempted to destroy the remainder, the British were enabled to preserve some large and valuable granaries. The principal part of the inhabitants had abandoned the city: but the Chinese settlers, a most useful and industrious race of men, remained; and they were of great service to the army. Provisions also were cheap and abundant, and the communication with the fleet was easy and expeditious.

The next object of attack was the enemy's cantonment at Weltevrede, where they had two brigades of infantry: against this colonel Gillespie was sent; but the enemy abandoned their position on his approach, and retired to another in front of their strong lines at Cornelis. This new position was very strong, and it was defended by 3000 of their best troops, supported by four guns of horse-artillery: it was however attacked with great spirit and gallantry by the corps under colonel Gillespie: the enemy defended themselves with great obstinacy,

sinacy, so that it was judged expedient and necessary to attack them with the bayonet: by means of this, they were completely routed and their guns taken.

But the difficulties were now only beginning: the enemy were strongly entrenched in a position at Cornelis, between the great river Jacatra and the Sloken, an artificial water-course, both of which were unfordable. This position, thus defended by nature, was inclosed by a deep trench strongly palisadoed. Within the lines, the high grounds were covered and protected by several redoubts and batteries mounted with a great number of cannon. In the centre stood Fort Cornelis; and the whole of these very strong works were defended by a much superior force, supported by a numerous and well-served artillery. There were, it was evident, only two modes by which the enemy could be driven out of this entrenchment, or compelled to surrender it; either by regular approaches, or by storming it immediately: the former plan could not be adopted, on account of the season, which was so far advanced, that before the forts could be reduced by regular approaches, the British army would have been compelled to abandon the enterprise. It was therefore necessary to take measures for carrying the works by assault. For this purpose batteries were erected, in order that by their fire the principal redoubts of the enemy might be disabled: after a heavy fire for two days this object was fully accomplished. The nearest batteries were silenced; and by the superiority of the British fire the enemy were evidently harassed and disturbed in every part of their position.

The moment now seemed arrived

proper and propitious for the general assault; and accordingly on the dawn of day, on the 26th, it was made. Colonel Gillespie here was principally employed, as he had been in the preceding and preliminary enterprises. The object to which his efforts were directed by the commanding officer was a redoubt, which the enemy had constructed beyond the artificial water-course; by driving the enemy from which, the British troops might be enabled to pass the bridge along with them, and attack the redoubts within the lines. At the same time that this redoubt was attacked, another division under the command of lieutenant-colonel McLeod was ordered to possess itself of another redoubt on the left; and the bridge over the river Jacatra, by which the interior of the lines might also be reached, was the object of the attack of major Tule with a third corps. While these three several attacks on the flanks of the enemy were carrying into execution, the remainder of the British army was directed to advance against the enemy in front, and, if possible, to open a way through them into their lines.

It is impossible here not to pause, and to admire the consummate and comprehensive judgement and skill with which the whole plan of attack was formed and arranged. The mere detail of it must, even to a reader unacquainted with military tactics, afford indubitable proofs of the sagacity of sir Samuel Auchmuty's mind; it must stamp him in the estimation of those who are best able to appreciate these matters, as a master of the military art. Every part of the plan was mutually connected, and the whole was complete: at the same time, it bears those marks of simplicity, which



which distinguish only the operations of nature and of great minds. Perhaps in the entire annals of military achievements, both ancient and modern, nothing will be found to surpass it. Even had the plan, from any defect in the execution of it, or from unforeseen and unexpected difficulties that could not be overcome, proved abortive and unsuccessful, still he who formed it had ensured his right to be enrolled among our greatest military characters.

But of the want of success of such a plan, when intrusted for its execution to British officers and troops, there was little danger, although the enemy were so very superior, and in every respect so well prepared. General Jansens was in the redoubt when the assault commenced. Colonel Gillespie possessed himself almost instantaneously of the bridge over the Sloken, under a heavy fire of grape and musquetry; and passing the bridge along with the enemy's troops whom he had driven from their redoubt, he attacked and carried one of the redoubts within the lines. Part of colonel Gillespie's corps, having been joined by that portion of the army who had attacked the enemy in front, and succeeded in that attack, attacked another of the inner redoubts, which they also took. The same success attended the corps under colonel M'Leod. Four redoubts were now in our possession, three of which were within the lines. The front of the enemy was also routed, and their position in that point laid open. The only redoubts which the enemy still occupied lay in his rear; and to these colonel Gillespie, being joined by col. M'Leod of the 59th, directed his attention.

Here the greater part of the enemy's artillery, surrounded and protected by their cavalry, were posted. The redoubts, however, were taken in the same masterly style, their artillery carried, and their cavalry compelled to fly. Soon after Fort Cornelis was taken, and the victory was complete.

In these different actions the loss of the enemy was very great: about one thousand were buried in the works; immense numbers were cut down in the retreat; the rivers were literally choked with their bodies; and the huts and woods were filled with the wounded, most of whom afterwards died. Nearly five thousand prisoners were taken, among whom were three general officers, thirty-four field-officers, seventy captains, and one hundred and fifty subaltern officers. The number of artillery and field-pieces that were taken was very great; consisting of 209 brass guns, 35 brass mortars, 19 brass howitzers, 504 iron guns, and 743 iron and brass cannons and mortars. Our loss was severe; though, when the force opposed to our army, and the strength of the enemy's position, are taken into account, not more severe than might have been anticipated. We had fifteen officers and about one hundred and fifty men killed, and sixty-three officers and upwards of six hundred men wounded. Among the killed was the gallant lieutenant-colonel M'Leod of the 69th foot.

Among the enemy who escaped was general Jansens, who fled during the action with a few cavalry, the only remains of an army of ten thousand men, to the distance of thirty miles. As soon, however, as the conquests were secured, and the British troops had rested from their

their fatigue, a corps was dispatched in pursuit of him, which after displaying the same intrepidity and skill which had distinguished them on the main attack, succeeded in coming up with and capturing him. Thus was this important

island annexed to the British empire; and to use the words of lord Minto, "by the successive reductions of the French islands and of Java, the British nation has neither an enemy nor a rival from the Cape of Good Hope to Cape Horn."

## CHAPTER XVI.

*Affairs of the Peninsula—Preliminary Remarks on the important and useful Inferences to be drawn from the Occurrences in Spain—Peculiarities in the Causes and Means which have hitherto preserved Spain from Subjugation by the French—Expectations formed, that the Reverses of the French in Spain would materially weaken the Power and Influence of Bonaparte—Differences between Spain and Portugal, and the Spaniards and Portuguese, with respect to the War in the Peninsula—Circumstances in favour of the Portuguese—More generally detest the French, and are more cordially attached to the English.*

ONE of the most plausible, and, indeed, one of the most weighty objections, that has been urged against the utility of the study of history, rests upon this ground,—that, in the long series of the events which it embraces and narrates, nothing is taught but what might with infinitely more facility, and with equal certainty, be learnt from the transactions that are always passing around us: that men are naturally fond of power; and that, when possessed of it, they are prone and apt to abuse it: that sovereigns are too much disposed to trust to the representations of their ministers, and of those who flatter and court them, are, it is urged, among the most novel and important maxims with which the study of history supplies us, so far as human character in general, and the character of sovereigns in particular, is concerned. It is further objected, that, even if we depend upon the study

of history supplying us with very new or very important political maxims, we shall be much disappointed. Whoever, after the perusal of the history of most states, whether ancient or modern, sits down to recollect and digest the political rules and maxims which he has been able to glean, will perceive that they are very common-place, and only such as he might have obtained from casting his eyes round on passing public events.

There is a considerable share of truth and justice in these remarks; but if they are applied, without exception, against the utility of the study of every history, they cease to be just and true. Both in ancient and modern times, there arise every now and then a series of events so totally distinguished and apart from the common every-day transactions of states, that they must, in their origin, progress, and consequences, strongly fix the attention and

and interest, and must to the politician and philosopher afford much insight, not before possessed, into the causes of the rise and fall of states, and into the nature of the human character when acted upon, or surrounded by, peculiar circumstances. Those who are but moderately conversant with ancient and modern history, will easily fix upon and recognise these remarkable epochs, so pregnant with interest and instruction: the latest which have occurred are the French and the Spanish revolutions. It may, however, justly be maintained, that the lesson taught by what has already occurred, and by what is yet transacting in Spain, is both more novel and more important than what was taught by the events of the French revolution.

In each of our volumes, since the commencement of the war in the peninsula, we have prefixed to our narrative of that war, or intermixed with it, such observations and reflections as it naturally suggested, or as appeared to us calculated to set the whole transaction in its fair and proper light, and to draw from it its legitimate and most useful conclusions.

The mere simple statement of the fact, with respect to the peninsula, will excite considerable surprise and interest, and naturally provoke inquiry and investigation. France, after having, with more rapidity and uniform success than was ever before known, conquered the most powerful armies, and destroyed the most wealthy and firmly established states of Europe; by which she had not only extended her territory and increased her armies and her resources, but, what perhaps was of more moment, infused into her own soldiers a belief of invincibility,

and into those of other nations a degrading and weakening feeling of military inferiority, attacked a country, the inhabitants of which had long been declining both in patriotism and valour; the armies of which were either in a wretched state of preparation and discipline, or actually, at the moment of invasion, at a distance, surrounded by the troops or the allies of the invaders; and the sovereign of which had joined, either from treachery or fear, with those who were come to wrest the sceptre from his hand, and to overrun and conquer his kingdom.

When we examine more minutely into the circumstances and particulars of this event, our wonder and admiration, instead of being diminished, will be considerably extended and increased. It may indeed be said, when we compare what the inhabitants of the peninsula have done towards the preservation of their country from the power of France, and towards the resistance and destruction of the French armies, with what other nations have done when placed in a similar situation, that the former have greatly surpassed the achievements of former times. For, in all former similar cases, there existed at the main spring of action uncommon vigour, activity, and patriotism; and by these were naturally set and continued in motion and success all the energies of the country. To take the French revolution for an example: at first, there can be no doubt that the greatest mind,—the mind of the most enlightened and comprehensive views, and of the most determined and active character, directed the movements of France, as far as they respected the defence and protection of her territory from

from the invasion and conquest of a foreign power : even afterwards, in the very midst of all that savage brutality which disgraced the revolution, and which brought to light and into action a set of men infinitely worse than the most degrading and misanthropical ideas of human nature had dared to form ;—in the midst of all this there was undoubted talent, and that talent was so directed as to call forth the energies of the country. Far otherwise has it been with Spain ever since the commencement of the war in that country : there has, in fact, been no head,—no ruling or superintending power to arrange, methodize, and direct, the well-disposed and well-directed vigour of the nation. It has been even worse than that : for those into whose hands the ill fortune of the state has uniformly thrown the direction of public affairs, have not only been destitute of all positive qualities which could possibly have rendered them fit for their situation and office ; but, in too many instances and respects, the activity and vigour which they have actually discovered and exercised have done manifest and extensive mischief to the cause they were bound to benefit and support. Circumstances will justify the position, however harsh, and even strange and paradoxical it may appear, that without the government which have exercised power and rule over Spain since the commencement of the revolution, she would have achieved much more than she has actually done.

In forming a just estimate, therefore, of the efforts of the Spaniards to drive the French beyond the Pyrenees, or to defend effectually their country from the invaders, we ought always carefully and candid-

ly to bear in mind (among many circumstances to which we shall shortly briefly advert) the character and conduct of the men who have been at the head of her government. There is also another consideration to be taken into the account, when weighing this most important subject. As from the events of the war the Spanish provisional government were compelled to desert the place where they had first fixed their abode ; and as afterwards from the same cause they were in fact shut up in Cadiz ; it behoved them to have displayed more than usual wisdom, activity, and vigour in their councils and plans, in order to do away the effect of these untoward events, and to command respect and confidence from the people, even in the midst of their misfortunes and virtual exile. The Roman senate never appeared with more dignity, they never inspired more awe into the breasts of their enemies, nor filled the hearts of their countrymen with more confidence in the public cause, than when the enemy were within sight of Rome. In such a situation, if men are really possessed of patriotism, wisdom, and vigour in that degree which public danger and calamity demand, these qualities will break forth. But with respect to the provisional governments of Spain, in proportion as the crisis of their country's fate became more near and more dreadful,—in proportion as the display and exercise of patriotism and activity became more necessary, they exhibited, if possible, stronger proofs of weakness, intrigue, and selfishness.

Still there are other circumstances which ought to be noted and allowed their due weight, before we can sit in candid judgement upon

upon the efforts of the Spaniards to protect their country against the power of Bonaparte. In the agitation and convulsion which a revolution occasions, or which are the natural and necessary consequence of a whole people being excited in defence of their independence, and being, in a great degree, thrown loose from regular government, the buoyancy of great and aspiring talents will unavoidably raise them to their proper and just level. The history of all states, under these circumstances, proves this: the history of France, perhaps more than that of any other state ancient or modern, may be cited in illustration of this position. But indeed the truth of it is so very readily and generally acknowledged, that men are much more disposed to wonder that great talents should not arise and display themselves during the convulsions of a state, than that they should become conspicuous and active. But what is the case with respect to Spain? Would it not be difficult to point out one individual, either in the civil or military line, of pre-eminent talents, whom the revolution has produced or called forth? However we may account for this circumstance, the existence of it is undoubted; and if it is so, if no commanding talents adequate to the direction and management of the affairs of Spain, during this momentous, arduous, and most difficult crisis, have arisen, ought we not to be the more surprised that she still has been enabled to resist the power of France? Let us also take into our consideration the character of those men who conduct the hostile councils, and lead on the hostile armies, in order that we may gain a still further insight into the merit of Spanish resistance. When France was

attacked at the commencement of her revolution, although the generals who led the hostile armies were men of considerable talents, yet they were not pre-eminently so: and in a very short time, France, in respect of generals, was fully adequate to cope with her enemies. But the case with Spain was far different: she was attacked by men perfect masters in the art of war, who led against her feeble and undisciplined troops armies habituated to victory.

It was, however, expected and foretold by the sanguine friends of the Spanish cause, that, although at first her generals were inexperienced, and her troops raw and undisciplined, yet during the continuance of a protracted resistance these disadvantages would gradually wear away, and the Spanish generals and armies would, from the unavoidable and natural operation of circumstances, become at least equal to those of her invader. These hopes, however, have hitherto been disappointed; and these prophecies still are without their accomplishment. Whenever a French and Spanish army encounter each other, if the numerical force is nearly equal, the advantage is on the side of the French: little or nothing seems to have been gained by experience, on the part of the Spanish generals, of skill or military knowledge; and still less, on the part of the soldiers, of steadiness and discipline. Neither can be depended upon: under some circumstances, and in some instances, the generals will display and exert no contemptible share of military skill in the mode of attack or defence, and in the manœuvres during the battle; and their skill will be seconded by corresponding discipline and steadiness on the part of

of the troops; while under other circumstances, and at other times, all the ignorance and inexperience of generals and soldiers totally unused to warfare will most fatally be exhibited. Here, then, is another cause for wonder; that under these circumstances Spain is not conquered. What is it that has prevented her conquest? We have already in our former volume adverted to some of the causes of her protracted resistance and still-preserved independence. The events of every fresh campaign either confirm the justice of those remarks, or open to our view and consideration other causes, which co-operate in enabling Spain to resist her invaders. As it is these causes which distinguish the Spanish war, they cannot be too fully explained, or too forcibly dwelt upon; we shall therefore again shortly revert to them; before we enter on our narrative of the affairs of the peninsula, interspersing such remarks as are supplied or suggested by closer and further attention to those affairs.

We have already, in our former volume, adverted to the nature of the peninsula, as being particularly favourable to the cause and exertions of the Spaniards. This, of course, was equally favourable at the commencement of the revolution; but the Spaniards at that time, too much disposed to trust their defence to regular armies, neglected in a great degree the advantages which the nature of their territory supplied. Now, however, they have turned their attention more closely and effectually to them. There is only one unfavourable consequence which this mode of warfare was likely to produce, and against which they do not appear sufficiently to have guarded: this

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desultory warfare, this occupation of the strong parts of their territory, ought never to have been regarded as the ultimate object of their efforts, nor as of itself adequate to the expulsion of the French. It should only have been determined to have recourse to it, until the regular armies could be increased and matured in skill and discipline; it should have been regarded more as a temporary and mediate than as a lasting and ultimate measure. Had it been viewed solely and exclusively in this light, it could have produced much more beneficial effects than have actually proceeded from it.

But the nature of the Spanish territory has, from the nature of the warfare carried on in the peninsula, and from the protracted state of that warfare, produced another advantage to the Spanish cause, which was indeed partially foreseen by many of its advocates. In all the countries that have been overrun and conquered by France, her armies have been in a great measure both paid and supported by contributions and exactions on the inhabitants; and as the conquest was generally achieved in the short space of one campaign or but a very few months continuance, there occurred no difficulty in obtaining money and provisions amply sufficient from the occupied territory. In Spain, however, the case was different: the protracted state of the warfare of itself was sufficient to produce very great difficulties in the way of paying and supporting the French armies; and as the warfare was not only much protracted, but the French armies frequently compelled to remain long stationary, these difficulties were much increased. There were also other circumstances which operated the

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same

same way. In other countries which France had over-run and conquered, the inhabitants were either neutral towards them, or so little hostile that the French could easily procure what supplies they had, or compel them to collect and forward them to the armies. In Spain it was directly the reverse: the inhabitants not only would not forage for the French armies, nor without compulsion give up what stores they had, but they intercepted the supplies on their way to the armies. Thus Bonaparte found his troops placed in circumstances, under the operation of which the acknowledged and tried excellence of his commissariat was of little avail: they were in the midst of a country stripped of all supplies, or at least possessing those supplies by no means in a degree sufficient for the maintenance of his numerous armies: and the supplies, widely and thinly scattered, could not be procured and collected unless his soldiers were exposed to great peril from the Spaniards; and when collected, they could not, without very great hazard of being intercepted, be conveyed to the armies. To attempt to send the supplies from France was out of the question: even though the intervening country had been peaceable and friendly, and though the roads had been excellent, and the distance much less, this could not have been done for any length of time; but when the hostile disposition of the inhabitants, the bad state of the roads, and the great length of the way, were taken into the account, even the enterprise and activity of the French emperor would have been foiled in the attempt to supply his armies in the peninsula from beyond the Pyrenees.

But Bonaparte had been accus-

tomed to depend upon the countries which he invaded and conquered, not only for the support but also for the pay of his troops. Partly because, in all probability, he had not the pecuniary means necessary for the regular and full pay of his numerous armies; and partly, in order to animate them with the stimulus of hope to the most arduous enterprise and the most rapid exertions, he held out to them the prospect of pay, only when they achieved the conquest either of a considerable portion or of the capital of the enemy's territory. In his wars with Austria he followed this plan; and the possession of Vienna was the period when he rewarded his soldiers for their conquests. He appears to have pursued the same plan in the peninsula: the capture of Madrid brought to his armies a certain portion of their pay; and the remainder was promised when they should plant the French eagle on the walls of Lisbon. But the peninsula, neither rich in money nor fertile in provisions, was soon exhausted; or at least that portion of it which was still untouched, or had recovered from the former plunder of the French, was now placed beyond their reach and their power by the military prowess of the British army. Bonaparte, therefore, was compelled, either to suffer his armies to remain without pay, or to send the necessary money from France: the latter alternative was neither very agreeable nor very easy to him; and there is reason to apprehend that his armies obtained much less plunder, and received much less pay, as well as endured more hardships, in every respect, since they crossed the Pyrenees than they ever did before.

The natural consequences of these circumstances in which the French

French armies were placed followed in some degree; though certainly not to such an extent as might have been anticipated. It might have been expected that the power and influence of Bonaparte with his generals, his soldiers, and with the French nation in general, having been but of late growth, and nurtured by his success, and by the consequent elevation and enrichment of his soldiers, would have fallen with his disasters in Spain; or, at least, that his armies would have been greatly thinned by desertion; and that their spirits would have been broken by the protracted and unsuccessful nature of the warfare in which they had been so very long engaged. There can be no doubt that the foreign troops in the service of Bonaparte in the peninsula have deserted in very considerable numbers; but very few indeed of the troops of France have quitted his standard; nor do they appear to fight with a diminution of their accustomed spirit and perseverance.

We have already remarked, that the events which have occurred during the war in the peninsula are perhaps more pregnant with instruction than any series of events which either ancient or modern history presents to our notice. We alluded particularly to those events, so far as the defence of the Spaniards is concerned: but even when we contemplate the French character, as it was exhibited in the conduct and behaviour of their generals and soldiers who were employed in the peninsula, there is ample room for gathering instruction, and for indulging in reflection; though that instruction and that reflection are not of so pleasant and cheering a nature as what the events of the war, so far as the Spaniards are

concerned, give rise to. It is impossible not to be struck and considerably alarmed at the firm and unshaken attachment of the French generals and soldiers to the cause of Bonaparte, even in the midst of defeat and disgrace, and when neither motives of honour, of fame, nor of pecuniary emolument remain. As far as we have an opportunity of judging, the *French* armies in the peninsula are as much devoted to Bonaparte, as if success and plunder and fame had been the uniform results of their campaigns. It might have been expected by those who are conversant with the French character, that when Bonaparte ceased to be victorious, when he failed in his attempts to extend the French empire, and to acquire for France the title of sovereign of the continent of Europe, then his influence both with the French nation and with his armies would have begun to wane; but as yet there are no signs of it: and certainly this reflection is so melancholy as almost to weigh down the joy and hope to which the efforts of the Spaniards give rise.

But to return from this digression (in which we have indulged principally for the purpose of illustrating our position, that the events that have occurred in the peninsula are pregnant with instruction on whatever side viewed). If we have truly and justly stated the nature of the warfare in which Bonaparte is engaged in the peninsula, we shall find no difficulty in removing the surprise of those who have expressed it, because he has not sent larger armies, and at once overwhelmed the Spaniards with numbers. It may justly be doubted whether the conquest of Spain, in the manner and to the extent that Bonaparte has conquered



ed the other countries on the continent of Europe, could be achieved by the most numerous and well-appointed armies that were ever led into the field. But there is another point of view in which this circumstance may be placed: Bonaparte has already in the peninsula armies as numerous as he can maintain there; if more men were sent, they could not find means of subsistence. In this single fact, viz. in the impossibility, in the present and late state, of subsisting numerous armies, is contained nearly the whole secret of the safety of the Spaniards; we say nearly the whole secret; for besides this, as we have already noticed, the nature of the warfare carried on by the Spaniards sets a large army almost at defiance: the most useful and successful of the Spanish armies, if armies they can be called, are of such a texture, and formed of such materials, that a large force can make little or no impression upon them. If they are routed and destroyed, it must be by bodies of men disposed and organised like themselves.

We have hitherto in a great measure confined our remarks and inferences to Spain and the Spaniards; because in the case of the Portuguese there are peculiar circumstances which require to be separately stated and considered. Before, however, we advert to the condition, the exertions, and the hopes of the Portuguese, we shall very briefly consider the effects which must necessarily be produced by the nature of the war on the state of Spain, and the character of the Spaniards.

When we reflect that Spain has now been upwards of three years the seat of warfare, and when we consider the peculiar nature of the warfare which has been carried on,

we are naturally and almost unavoidably led to indulge in melancholy reflections on the actual misery which it must produce, and on the desolateness and sterility which it must spread over one of the finest countries in Europe. There can be no doubt that these evils must be produced; that now, and for a great length of time, the most fertile tracts in Spain will be comparatively unproductive; and that much individual misery has already been engendered, and will continue to seize upon the wretched inhabitants. But there is another point of view in which this subject may be placed, much more important, though not so obvious: we allude to the permanent effects on the Spanish character and habits which this revolutionary war will produce. We are very apprehensive the effects will not be good; or, at least, that much that is bad will be mixed with what is good. Had the efforts of the Spaniards been called forth and successfully exercised in regular warfare; and had the talents of her statesmen discovered themselves in wise and comprehensive plans for the safety and protection of the country, the Spanish character must have come out of the contest much purified and exalted. But in a mode of warfare which calls for cunning and mere bodily activity and strength, and which is upheld rather by a national antipathy against the invaders than by any clear and ardent love of liberty and independence, the human character cannot be much benefited. The manners and dispositions of the inhabitants, it is to be apprehended, will become fierce and untractable; and great danger and difficulty will arise, even when the country is freed from the invaders, in reducing those who have been so affectedual

factual in freeing it, to regular habits of order and subordination. Both from the nature of the war they wage against the French armies, and from the desolate state of their own country, the Spanish guerillas are compelled to subsist and to act in a disorderly manner, and in their operations frequently to injure their countrymen, that they may reach the enemies of their country. Habituated to such a life, they must acquire much of the character of the irregular troops of former times; bold, enterprising, and frank, but at the same time fond of rapine, and disposed to live rather contrary to than according to law.

Such are the reflections, so far as Spain is concerned, which we think it proper to offer to our readers, before we enter on the history of the campaign in the peninsula during the year 1811. Some of them have been given before, though not in the same connexion or under the same points of view; and we must repeat, that the war in the peninsula teems with subjects for reflection. We shall now state those circumstances which distinguish from Spain, and render peculiar, the state and the probable issue of the Portuguese contest.

The most prominent and most important distinguishing feature in the character of the Spanish and the Portuguese, so far as the issue of the contest in which they were both engaged was concerned, consisted in their relative dislike to the French, and attachment to the English. The Spaniards undoubtedly have a national antipathy to the French; but it is by no means so strong and operative, and not nearly so general, as it exists among the Portuguese. The Spaniards, ever since a prince of the house of

Bourbon sat upon their throne, have approximated in a small degree to the French character, and have certainly thrown aside some of that dislike which they formerly entertained against the French nation: still however there was sufficient of this dislike called again into action, as it had been, by the conduct of Bonaparte towards them, to have produced the most hostile effects towards the French, had it been general; but it was in this last respect that it differed principally from the hatred which the Portuguese bore to the French. Among the Spaniards there were but too many, and those too of the highest rank and most extensive and commanding influence, who were well disposed towards the French. Among the Portuguese, on the contrary, there was scarcely an individual to be found who was not animated with an equal degree of hostility both against the character and the objects of their invaders.

The difference between the Spaniards and the Portuguese with respect to their friendly disposition towards the English was still more striking and important. That feeling of abhorrence, which the ignorant and bigoted catholic feels towards those whom he considers as heretics, was in the case of the Portuguese in a very great measure done away, so far as the English were concerned, by the long and close alliance which had subsisted between the two nations; by the intercourse which commerce had produced and kept up between them; and by the assistance which, in more than one instance, British soldiers had rendered them against their enemies. On the contrary, the Spaniards, less accustomed, and perhaps naturally less disposed to associate with foreigners, and especially

cially with heretics, were averse even to receive succour from the English. They had, besides, or conceived they had, reasons for suspicion and mistrust which the Portuguese had not. The seizure of the Spanish frigates undoubtedly operated to the prejudice of the British. Portugal had never known us but as allies and defenders. Spain had generally known us as enemies from whom she had suffered severely. France had never been able, because she never had the opportunity, to instil hatred and suspicion of us into the minds of the Portuguese, while she had had ample opportunity of stirring up these passions in the breasts of the Spaniards.

Even if there were no other points of difference between the Spaniards and Portuguese than these, a little reflection will convince us, that these of themselves must produce a great difference in their efforts and success during the war in which they are both engaged. While there have been numerous well-founded complaints against the Spaniards in different parts of the country, on the ground that they have rather favoured and encouraged than opposed the French, or at least that they have displayed a very unnatural and blameable apathy for the fate of their country, the Portuguese uniformly have shown and proved themselves hostile to their invaders; and though in several instances they have been deficient in courage and steadiness, they never have been found wanting in a proper disposition. A similar remark may be made with respect to the conduct of the two nations towards the English: while the Spaniards have either thwarted our measures for their defence, or rendered them

useless and ineffectual by their jealousy and backwardness, the Portuguese have cheerfully put themselves under our guidance and authority, and have co-operated, at least as much as could well have been expected from them, in the defence of their country.

Now it is surely too evident to require much amplification of remark to prove it, that a hostile feeling towards the French, and a friendly disposition towards the English, are absolutely necessary for the protection and independence of the peninsula. It may be making too bold an assertion to maintain, that by the assistance of the English the peninsula will be effectually, completely, and permanently freed from the French armies; but it is certainly not maintaining an improbable or unfounded position, to assert, that *without* the assistance of the English armies the peninsula will never be freed from its invaders. If Spain, therefore, were what Portugal is, in respect to hostile disposition to the French, and cordial and friendly feeling towards the English, the cause of the peninsula would wear a more favourable aspect. But there are several other circumstances which render the cause and situation of Portugal more favourable than that of Spain.

In the first place, the limited extent and nature of the country are more favourable to defence, both by the natives and by the English. The extent of sea-coast which Portugal possesses, and the circumstance, that this sea-coast lies nearly opposite to England, and within a few days sail, are much to her advantage. The French can thus be continually attacked and harassed, even if they could get into the heart of the country: but there are

are also numerous and great obstacles to their advancing so far. On almost the whole of the frontier of Portugal, nature has raised formidable barriers for her protection; and even if these are passed, an enemy cannot proceed far, before additional obstacles to this progress appear. But the most important point is the situation of the capital of Portugal: though a country is not necessarily subdued when its capital is in possession of the enemy, yet till that event takes place, the enemy cannot possibly be said to have conquered it. The French, aware of the éclat and impression produced by their being able to occupy the capital of the different countries which they have invaded, have regularly pushed forward against them; and have, in fact, in almost every instance, made their occupation of the capital the means of subduing and bringing to terms their adversaries. In most countries, the capitals are so situated as to become an easy prey to the invaders: in Spain, Madrid soon fell; but Lisbon is most fortunately situated both for defence by an army, and for that army, while defending it, being supplied by a naval power such as Britain. It is also to be remarked, that the French, by the very act of drawing near to attack Lisbon, necessarily remove themselves to a much greater distance from their reinforcements and supplies, while they enter into a tract of country very ill calculated to support a numerous army.

In the second place, the friendly disposition of the Portuguese towards the English, to which we have already adverted, has produced one important public effect, besides drawing together the individuals of the two nations. While the Spaniards will neither receive

our councils, nor permit our officers to discipline their troops, Portugal may be said to be actually governed by British statesmen; while her armies are in every respect under the command of British officers. It is almost needless to dwell upon the beneficial consequences resulting from this: there is not only more vigour, and more uniform and hearty co-operation, but the Portuguese soldiers must ultimately, though necessarily very slowly, assume much of the character of those with whom they are thus associated. It is impossible not to look further for the effects which this system must produce; and to indulge the hope, that whatever be the ultimate issue of the contest in the peninsula, the Portuguese national character will be much benefited, both by intercourse with Britons, and by being forced to the exercise and display of more activity and vigour than the political circumstances under which they had antecedently been placed either called for or permitted.

If we naturally were apprehensive that the desultory and irregular mode of warfare in which the greater part of the inhabitants of Spain were engaged, would produce on their character not the most desirable effects; we may, on the other hand, anticipate, from the state into which the Portuguese nation are now brought by the efforts of the British, and by intercourse with them, a very great amelioration of their character.

Whether, therefore, we look forward to the probable issue of the war in Spain and Portugal, or to the effects which, whether successful or not, it will probably produce on the character and disposition of the inhabitants of the two countries respectively; we shall find much

more reason to anticipate good from the latter than from the former. When Spain, like Portugal, shall so far discover and acknowledge her real interests, as to accept this country for her friend and ally without scruple or jealousy; when she will cordially adopt the only remedy for the ignorance of her generals and the unsteadiness of her troops, by incorporating them completely with our armies; when her councils shall be directed by talents adequate to the emergency and difficulty of the situation in which she is placed; and when, like Portugal, her inhabitants shall be unanimous, at least in not joining and assisting the French, then will her hopes of success be better founded, and the day of her triumph, tranquillity, and independence be not far distant.

There still remains another topic of reflection on this most fruitful and interesting subject, to which we must advert before we enter on the narrative of the campaign in the peninsula; it will not, however, detain us long.

After all that has been urged, and must be allowed, with respect to the difficult situation in which the French armies in Spain are placed, and the impossibility of augmenting those armies from the impoverished state of the country, still the whole conduct of the war in Spain must tend to lower our opinion of Bonaparte's talents, both as a statesman and as a military character. At the very outset of the Spanish revolution he was manifestly ignorant of the state of Spain; he was totally unapprehensive of any opposition or resistance in the least formidable from the Spanish nation. Afterwards, when they did rise up in arms against him, he did not act with his accustomed deci-

sion, promptitude, and vigour: he left his work incomplete, to go to war with Austria; although it might have been imagined that the nature of Spanish resistance would have been sufficiently known to him who had seen and felt it, to have convinced him that it was of infinitely more importance to crush the Spaniards than to conquer Austria. It is also difficult to account for the circumstance that Bonaparte himself has not gone into Spain to head his armies, since the war there presented so many difficulties, and advanced so very slowly. It is not consistent with his character, or with his former conduct, to suppose that he is deterred by an apprehension of danger: that was more likely to incite than to deter him. Upon the whole, and in all its parts, his conduct during the Spanish war has been very unaccountable: it however tends very strongly to illustrate and prove a position to which we have already adverted,—that his power in France is laid now on other foundations than mere military conquest and glory. Had it rested solely or principally on these, from which unquestionably it took its rise, Bonaparte durst not have been absent from the scene of danger; nor would he have felt as tranquil and safe, as he appears to have done, amidst the disasters of his armies in the peninsula. Is there not also reason to apprehend, that not only in France, but also in most of the other countries on the continent which the French arms have over-run and conquered, the people are beginning to settle, as it were, and become habituated to the new order of things? Can we suppose, if there still existed among them the same spirit of independence and hostility towards France,

that

that it would not have manifested itself, since the reverses of the French armies in the peninsula? After every check or defeat which they have sustained, we have been told to be on the watch,—for that the throne of Bonaparte was shaken, if not in France, at least in the

conquered nations. But our victories in the peninsula have passed over ineffectual in this respect: his armies are defeated and disgraced there, but France and the conquered countries are still tranquil, and obedient to his yoke.

## CHAPTER XVII.

*Affairs of the Peninsula continued—Massena reinforced—His Retreat from Santarem—Pursued and attacked by Lord Wellington—Affair at Sabugal—Massena crosses the Frontier of Portugal—Lord Wellington goes into Estremadura—Recalled by Intelligence that Massena is again advancing—Battle of Almeida—French Garrison escape—Affairs in Estremadura—Badajoz taken—General Beresford advances to retake it—Opposed and attacked by Soult—Battle of Albuera—Unsuccessful Attempts against Badajoz—Marmont assumes the Command of the French Army—Ciudad Rodrigo—Lord Wellington advances against it—The French attack him—He retreats—General Hill surprises a French Corps—Remarks.*

THE retreat of marshal Massena from the position he occupied near the British lines at Torres Vedras to Santarem, was noticed in our volume for the year 1810. When the intelligence of this retreat first reached England, the joy and congratulation were excessive: his immediate and further retreat was looked forward to with certainty. When, however, he seemed resolved to retain the new position he had taken up, those who had been most sanguine began to despond: they looked upon his retreat to Santarem as a mere feint; or, at least, as rendered expedient and necessary only by the devastation of the country he had so long occupied. Early in the year 1811, intelligence was received by lord Wellington that a very numerous corps, amounting, it was said, to nearly 15,000 men, were on their march

to join Massena. The Portuguese general Silveira in vain endeavoured to interrupt the march of this body of men, or to harass them during it. The Portuguese troops by themselves were not able to cope with the French, and Silveira was compelled to abandon his object, after having suffered severely for his rashness.

For some time after Massena was thus reinforced, desertions from his army were less common and numerous; and the accounts of deserters no longer presented that picture of famine and wretchedness which they had formerly given. Indeed from the statements of the French papers, from the reports of deserters, and from what lord Wellington learnt by other means, it was rendered certain, that a large supply of provisions had been brought to Massena's

sen's army by the corps which had joined him.

It was at first imagined that, being now so strongly reinforced, he would make an attempt on lord Wellington at Cartaxo; especially as the position of the latter was not now nearly so formidable as it had been at Torres Vedras; but the French marshal manifested no such disposition or intention. On the other hand, lord Wellington found that the position occupied by the enemy at Santarem could not be attacked with any prospect of success; it had been chosen with great judgement and skill, and fortified with the utmost care and caution. Thus to all appearance the two armies were exactly in every circumstance, except mere locality, placed relatively to each other as they had been at the close of the year 1810. The French indeed had opened to themselves an entry into a more fertile district of Portugal; but no part of this kingdom, exhausted as it had been, could long support such a numerous army as Massena commanded. Besides, it must have become apparent to him, that even if it were possible for him to continue at Santarem during the whole of the approaching spring, still his stay there could be of no avail: each day rendered the subsistence of his army more difficult, and saw it decrease by sickness and desertion; while each day added to the strength of lord Wellington's lines, without exposing his army to the difficulties under which that of the French suffered.

Knowing these things, lord Wellington confidently and repeatedly predicted that the French must retreat: this prediction not having been verified so soon as was expected and hoped for, many accused lord Wellington of being a false

prophet: the day of the completion of his prophecy was at hand. On the 5th of March, marshal Massena having arranged every thing for his retreat with the most consummate skill and foresight, and with the most profound secrecy, broke up from his position at Santarem. He in part succeeded in deceiving lord Wellington with respect to the line of his retreat, by indicating a disposition to occupy Thomar; but having by his manœuvre drawn off part of the British army, Massena continued his march towards the river Mondego, with one corps on the road of Espinhel, another on the road of Anciao, and the remainder of his army towards Pombal.

The pursuit of the British was immediate and rapid; the light division, the royal dragoons and the 1st hussars at the very beginning of the pursuit overtaking the rear of the French, and taking about 200 prisoners. Nothing very important occurred till the 9th of March, on which day the enemy collected three of their corps in front of Pombal, and awaited the British. On the 11th lord Wellington had brought forward a sufficient number to attack them; but the French stood only to receive the attack of our advanced troops, when they again retreated. On the 12th, the 6th and the 12th corps of the enemy took up a strong position at the end of a defile between Redinha and Pombal, having their right on the river Soare, and their left extended towards the high ground that hangs over the river of Redinha: their rear was protected by the town of this name. The same day lord Wellington having brought up part of his army attacked them in this position. Their right though protected by the wood was first carried:

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by this successful manœuvre, the troops were drawn up in the plain beyond the defile with great accuracy and celerity. The heights above the river of Redinha were the next object of British valour: from these the enemy were immediately driven in the most gallant style: the enemy, thus forced from their strong positions, crossed the bridge over the river, and were closely pursued by the British. As soon as they reached the other side, the French again occupied the opposite heights, on which, in anticipation of the necessity of such a manœuvre, they had placed several pieces of cannon. Some time necessarily elapsed before a body of troops sufficiently numerous could cross the river to attack them on these fortified heights. As soon, however, as the 3d division of the British army had crossed, they manœuvred on the enemy's left flank, while the light infantry and cavalry, supported by the light division, drove them upon their main body at Ceudeixa.

This place again afforded them an opportunity of rallying, which the necessity under which Massena was placed of resting and collecting his army obliged him frequently to repeat, and which his consummate skill and experience enabled him to do with great effect. Lord Wellington however did not permit them long to remain at Ceudeixa: by sending the 3d division under general Picton through the mountains upon their left, he dislodged them, and they retreated about a league further.

On the 14th of March the 6th and 8th corps of the French army formed in a very strong position near Cazac Nova: this position was naturally so strong, and occupied with so much skill, that no at-

tack in front could dislodge them from it. Lord Wellington therefore ordered movements to be made on their flanks, which were completely successful, compelling the enemy to retire from all the positions they successively took up in the mountains. In consequence of these operations of the British, Coimbra and Upper Beira were saved from the ravages of the French, and a communication was opened with the northern provinces of Portugal: the enemy were also obliged to change the line of their retreat, and to proceed along the road by Ponte de Marcella, in which the militia under colonel Trant and colonel Wilson annoyed and harassed them excessively.

On the 18th and 19th of March they attempted to make a stand in the Sierra de Moita, but they were driven from that position with the loss of 600 prisoners. On the 21st they were at Galiza, and the British head quarters were at Al-gazil on the 20th. The French continued to retreat, occasionally occupying a strong position, which they were always compelled to abandon as soon as the British army attacked them. On the 28th of March they occupied in force a position on the Guarda, in such a manner and with such appearances of a determination to retain it if possible, that lord Wellington thought it proper to collect his army in the neighbourhood of Celerico for the purpose of attacking. He had however scarcely made the requisite arrangement and movements for this purpose, when the enemy left their position on the Guarda without firing a shot; and retired upon Sabugal on the Coa. They kept this river in their front, and presented themselves very strong both in numerical force and  
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in position. On the 3d of April lord Wellington, having recruited his army and brought them up to the French, resolved to dislodge them: for this purpose he ordered a division of his army early in the morning to ford the Coa half a league to the right of Sabugal: as the British advanced the picquets of the enemy fell back: our troops crossed the river in a masterly style and formed on the opposite side, under a heavy fire from the enemy. Those who crossed first maintained themselves for a considerable length of time unsupported against the whole of the second corps of the French army. In this situation, recourse was had to the charge with the bayonet. The French fled; but as the British pursued they found the enemy again forming in greater strength, having fallen back on their reinforcements. The British in their turn were now compelled to retreat to the ground they had just before occupied, where they formed under a heavy fire of grape, canister, and musketry. The French now advanced; but being received by the British bayonets, their progress was first arrested, and then changed into flight. The British in this their second pursuit were more successful: they gained the heights which the enemy had occupied, and took one howitzer. By this time the 2d brigade had crossed the river and come to the assistance of their comrades: the enemy now formed column and retired, crossing the Portuguese frontier thirty days from the date of the commencement of their retreat from Santarem.

Of the whole of this retreat, considered purely and exclusively in a military point of view, it is impossible to speak but in the highest terms of commendation. The whole country (to use the words of

lord Wellington) afforded many advantageous positions to a retreating army, of which the enemy showed that they knew how to avail themselves. They retreated from Portugal, as they entered it, in one solid mass; covering their rear, on their march, by the operations of either one or two corps d'armée, in the strong positions which the country afforded; and these corps d'armée were closely supported by the main body." Before they broke up from Santarem, they destroyed part of their ammunition and cannon; and in the course of their retreat they disencumbered themselves of whatever was useless or their horses could not draw. Their sick and wounded were sent off some days before they commenced their retreat, and were always kept a day or two's march in advance. As they did not leave Santarem till they were nearly destitute of provisions, they of course were obliged to depend principally for their support on the plunder of the country through which they passed.

But while due praise must be given to the military skill displayed during the retreat, the conduct of the French army must be stigmatized as most wantonly outrageous and barbarous. They gave loose to the utmost cruelty and rapine, after inducing the inhabitants of many of the towns and villages through which they passed in their retreat, to continue in them under the promise of good treatment, they plundered them and burnt their habitations. It is no doubt extremely difficult to keep in order a retreating army; but still the efforts of the officers, if they are not actuated by the same spirit as the soldiers, may do much to protect the suffering people. There is, however, too much reason to appreciate

prehend that the French officers, instead of repressing and punishing the cruelties and rapine of their men, encouraged them by their example and advice. It might indeed have been expected that the French commander, knowing that his master was resolved on the conquest of Portugal, would have preserved from devastation, as much as possible, a country intended to be made a part of the great empire; and would have avoided rousing the antipathy of the inhabitants against the French by their barbarity and cruelty. But the disappointment and rage of Massena at being compelled to retreat, not being able to vent themselves on any other objects, were let loose against the unfortunate Portuguese, and closed his mind against all considerations of prudence and policy, as well as against all feelings of humanity and compassion. From this evil, dreadful as it was, one good result must follow: it is surely not possible that the inhabitants of a country which has been thus desolated and destroyed by the French, can ever again receive them as friends, or put the slightest confidence in their promises and assurances.

On the 4th of April the French retreating army entered the Spanish frontier: on the 7th of that month lord Wellington sent six squadrons of cavalry under sir William Erskine to reconnoitre Almeida, which was the only place they held in Portugal. Sir William succeeded in driving in the French outposts, and in cutting off the communication between the garrison and the army.

Although, from the skill with which Massena conducted his retreat, the French army had suffered much less by attacks from the pursuing

army than had been expected and anticipated, and had in fact entered Spain entire and undispersed; yet it was very generally and confidently believed that it was rendered totally unfit for any active operations for a considerable length of time. Lord Wellington was evidently of this opinion: for in one of his dispatches he expressly says, as "the enemy's army would not for some time be in a situation to attempt the relief of Almeida," he should take the opportunity of visiting the army under sir Wm. Beresford in Estremadura. Massena, however, with uncommon celerity re-equipped his army, and brought them into the field again prepared for active operations. Scarcely had lord Wellington reached Estremadura, when he was recalled by intelligence from sir Brent Spencer, whom he had left in command of the army during his absence, that the French were again advancing, and appeared determined to hazard a battle for the purpose of relieving Almeida.

Accordingly, on the 2d of May the whole army of the French, reinforced by all the cavalry which Castile and Leon could supply, and by about 900 of the imperial guard, crossed the Aguéda at Ciudad Rodrigo. Previous and preparatory to the approaching battle, Massena issued general orders to his soldiers, in which he told them that the relief of Almeida must be accomplished before they could procure that repose which their fatigues and exertions rendered necessary and desirable. Animated by this promise if they were victorious, the French advanced with great boldness: and lord Wellington, in his turn, seeing their great superiority in point of cavalry, drew in his outpost, and took up a stronger and more favourable position.

position. The light division fell back on Fuentes de Honor, on the Duas Casas, where the 1st, 3d, and 7th divisions were collected: the 6th division occupied and defended the bridge at Alameda; and the 5th division guarded the passages of the Duas Casas at Fort Conception and Aldea d' Obispo. Almeida in the mean time was blockaded by brigadier-general Pack's brigade and the queen's regiment from the 6th division.

The village of Fuentes de Honor was the first and principal object of attack by the enemy, on the afternoon of the 3d of May. The British forces that were stationed there received and repelled this attack; but as lord Wellington perceived that the enemy were bringing up new troops to recommence the attack, and as this village was a place of great consequence for the subsequent operations and manœuvres of the battle, he ordered reinforcements into it. The enemy were charged, when they renewed the attack, by lieutenant-colonel Cadogan at the head of the 71st regiment, and driven from the village of which they had obtained a momentary possession. Night terminated the contest, which thus far was favourable to the British.

On the morning of the 5th lord Wellington perceived, from the changes which had taken place in the relative positions of the enemy's different corps, that they meant to renew the attack on Fuentes de Honor; and with great promptitude and skill he made the arrangements and movements necessary to receive and repel the enemy. As they had found their former mode of attacking the village unsuccessful, they resolved to cross the Duas Casas at Poya Velho; which they

did, obliging the advanced guard to retire. The 8th corps of the enemy being thus established at Poya Velho, the Spanish division of the allied army were compelled to quit their station at Nave d' Aver. Having thus far succeeded in their object, the cavalry of the enemy made a grand and general charge: this charge was met by a few squadrons of the British dragoons, and the enemy were driven with the loss of several men and some prisoners. Although the attempts of the enemy were unsuccessful, yet lord Wellington perceived that it would not be in his power both to maintain the communication across the Coa by Sabugal, and to provide for the blockade of Almeida: he therefore resolved to give up the former, as the least important object. By adopting this measure, the British army now occupied the high ground from the Turon to the Duas Casas; the village of Fuentes de Honor, the great object of contention, being in front of the left division. The enemy still continued to charge in different parts of the British line: in one of their charges they were repulsed by lieutenant-colonel Hill with the picquets of the 1st division, and of the 3d regiment of guards: but as these troops were falling back, they did not see the direction of another body of the enemy, in sufficient time to form to oppose it; and lieutenant-colonel Hill and many men were taken prisoners, and several wounded, before a detachment could move to their support.

During the whole of the second day's battle, the principal and most determined efforts of the enemy were directed against the village of Fuentes de Honor: but though the British for a moment occasionally

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were driven from parts of it, yet they always regained them, and at the final termination of the battle the village continued entirely in our possession. In the course of the night of the 7th of May the French commenced their retreat from their position on the Duas Casas; on the 8th they retired to the woods between Espoga Galegos and Fuentes de Honor; and during the night of the 9th of May their whole army broke up, and retired across the Azava, leaving Almeida to its fate. The loss on both sides, in consequence of this long and arduous battle, was very severe; but the French suffered much more considerably than ourselves.

The fall of Almeida was naturally looked forward to as the result of the victory which the British army had gained; for being now again closely invested, and Massena having evidently given up all intention of again advancing to its relief, no hope of preserving the town or the garrison seemed to remain. The town did indeed fall into our possession; but the garrison, consisting of about 1500 men under general Brennier, partly by adroitness and skill, and partly by extreme good fortune, escaped. It appears from this officer's report to Massena, that early in the month of April he had made preparations to blow up the fortifications of Almeida. On the 7th of May he received orders to that effect: in order that the besieging army might not suspect what was going forward, a heavy cannonade was kept up from the fortress for some evenings previously to that on which it was proposed to blow up the fortifications and evacuate the place. On the morning of the 10th general Brennier having destroyed all the cannon and ammunition, and rendered all

the fortifications useless, communicated to the garrison his intention to evacuate Almeida, and informed them of the dispositions he had determined upon, and the route he meant to pursue. At midnight the watch-word was given, and the garrison marched out in two columns. Every thing was so well arranged, and the retreat carried on with so much silence and secrecy, that the besieging army had no suspicion that the place was evacuated, till the garrison had got the start of them a considerable way. Pursuit was then given, and the rear guard of the French overtaken and attacked with some loss; but the main body reached the left bank of the Agueda in a great measure unmolested, where they were received and protected by the second corps under general Regnier, who had been left, after the retreat of Massena, for that purpose. Notwithstanding the skill with which this retreat was arranged and executed, there is no doubt that, if the besieging army had been sufficiently on the watch, the garrison must have been intercepted and taken. Blame was thrown, and it appears justly, on those whose duty it was to have invested and watched Almeida more closely and carefully.

While these transactions were carrying on upon the northern frontier of Portugal, the enemy were not inactive on the south-western frontier, and in Estremadura. The force opposed to them, consisting of English and Portuguese, was under the immediate command of sir William Beresford. The first object of the enemy was the attack and conquest of Badajoz, which, after a resistance by no means proportioned either to the strength of the place or the number of the garrison, fell into their hands early in the spring.

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Sir William Beresford, sensible of the importance of regaining this place, if possible, having collected all his forces, advanced to besiege it. On the other hand, the French general Soult seemed determined to hazard an engagement for its protection and relief. In the mean time the allied army sustained considerable loss in an unsuccessful attempt against Fort Saint Christoval. On the 12th of May, Soult advanced from Seville to the relief of Badajoz. In order to be able to meet him, sir William Beresford had formed a junction with the Spanish forces under generals Castanos and Blake: still, as the allied force was not adequate, at the same time, to continue the siege of Badajoz, and to repel the attack of the French, general Beresford determined upon a temporary raising of the siege. Accordingly he broke up from that place, and marched the infantry to a position in front of Valverde: this position, however, leaving Badajoz entirely open, the British commander removed his army to Albuera, thus placing it between the enemy and Badajoz. Here it was drawn up to receive the French in two lines nearly parallel to the river Albuera, on the ridge of a hill which gradually rose from that river, so as to cover the roads from Badajoz and Valverde. The Spanish corps under general Blake were posted on the right.

On the morning of the 16th the enemy began to move his cavalry, crossing the rivulet of Albuera considerably above the right of the allied army. The front of the British was the first object of his attack: against this he directed a strong force of cavalry, and two heavy columns of infantry: and at the same time he filed the great body of his infantry over the river

beyond the right of the allied army, under the cover and protection of his vastly superior cavalry. By this manœuvre he evidently threatened to turn the allied army on that flank, and thus cut them off from Valverde. This, however, was prevented by the change of movement on the part of general Cole's division and the Spanish troops under general Blake. The next object of the enemy was the possession of the rising ground on which part of the Spanish forces was posted: by gaining possession of this he would have been enabled to command the position of the greater part of the allied army, and thus have rendered their situation very critical, and probably decided the fate of the day. The Spanish troops on this rising ground fought well for some time; but at length they gave way, and the French gained the height. Conceiving that they had now won the battle, they raised a shout of joy and congratulation.

As the allied army immediately began to feel the dreadful consequences of the height being in possession of the enemy, general Beresford determined, if possible, to drive them from it. For this purpose the right brigade of general Stewart's division, under lieutenant-colonel Colborne, advanced against them with a well-directed and heavy fire: the enemy, however, stood firm, and it was found necessary to charge them with the bayonet. While the British were in the act of charging, a body of Polish cavalry, armed with long lances, (whom the thickness of the atmosphere and the nature of the ground had concealed,) turned them and threw them into confusion: the slaughter here was dreadful: indeed nearly this whole column were cut off, and the enemy still kept possession of the heights.

heights. The third brigade, under major-general Houghton, now came up: he fell cheering his men as they advanced to the charge: but their charge was successful: the enemy were forced from the heights and driven down to the banks of the river with most dreadful slaughter. This was the principal point of attack of the enemy: but while this was carrying on, the front of the allied army, which was posted at the village and bridge, was also attacked: but here the contest was not so arduous, nor so long doubtful, as the French were repulsed and driven back with considerable loss. While the infantry of the French were making their attack on the right of the allied army, his cavalry endeavoured to turn it; but though they were much more numerous, their endeavours were completely frustrated. Here the attack of the enemy terminated: routed on all sides he retired across the Albuera: but as his cavalry was immensely superior, general Beresford did not think it prudent to pursue him. In this most severe engagement the loss of the French was nearly 8,000 men in killed, wounded, and prisoners: while that of the allied army amounted to nearly 7,000; the greater part of whom were British.

Soon after this battle lord Wellington joined general Beresford, leaving his army in the north of Portugal under the command of general Spencer, and the siege of Badajoz was re-commenced. The French army opposed to general Spencer was now commanded by marshal Marmont, Massena having been recalled to Paris. It soon appeared that the French were resolved that Badajoz should not fall if they could possibly prevent it. In order that Soult might a-

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gain be able to advance to its relief, Marmont detached a strong corps, amounting to 15,000 men under Drouot to reinforce him. Lord Wellington therefore deemed it necessary to gain possession of Badajoz, if possible, before the French army, thus re-inforced, should advance to its relief; and for this purpose two different attacks were made against it. But though the British troops behaved with their accustomed bravery and steadiness, both the attempts were unsuccessful, and our loss in making them was very considerable.

After this lord Wellington raised the siege; having, however, compelled the French, in order to relieve Badajoz, to collect all their force from Castile, from Madrid, and from Andalusia; in short, the whole disposable troops which the French had in Spain; thus affording the Spaniards an excellent opportunity of regaining some of their lost territory, and of acting with advantage and success: but, as has always happened, the opportunity was suffered to pass over unimproved.

As, however, it was deemed of great importance to draw off the pressure and attack of the great French army from the Spanish troops, lord Wellington having returned to the northern frontier of Portugal in the month of October, advanced and threatened Ciudad Rodrigo. By this movement and indication he hoped, besides relieving Spain, and giving an opportunity to her armies to act with advantage and success, to compel the French to assemble in great force, and advance into a country where they could not be easily supported. By thus keeping their grand army constantly on the alert, and never permitting it for any considerable

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length of time to separate, and spread itself over any extended tract of country, he was sure to harass it with fatigue, and likewise to shorten it for supplies and provisions. These objects would be completely attained if the French advanced to the relief of Ciudad Rodrigo in such a force as would make it prudent for him to retreat; and if they did not advance at all, or advanced only with an inferior or equal force, he safely calculated upon the fall of the fortress in either case, and the fall of the fortress and their defeat in the latter case.

On the 21st of September the enemy advanced in great force from Salamanca towards Ciudad Rodrigo; and lord Wellington took up such a position with his army as might enable him accurately to ascertain the strength of the enemy, and to resist their attack or retire as he might judge it most prudent. On the morning of the 25th the enemy commenced his first attack, beating in the light posts on the left of the British line: in consequence of this partial success he ventured to cross the river Azava, when he was in his turn attacked and compelled to retire. His principal point of attack, however, was the centre of the British army: with a column of between 30 and 40 squadrons of cavalry, and 12 pieces of cannon, he made the attack, which was sustained by the 77th and the second battalion of the 5th British regiments; and by the 21st Portuguese regiment, with 3 squadrons of major-general Alton's brigade; at the same time 14 battalions of French infantry advanced to the same point. As these could not immediately be opposed by corresponding reinforcements on our part, the battalion of the 5th and the 73d regiment were formed into one square; and

and the 21st Portuguese regiment into another; and both retired before the enemy unbroken.

On the 27th the enemy again advanced to the attack; but as lord Wellington had now ascertained that their force was greatly superior, he retired from the position he had occupied and preserved on the 26th to the distance of about three leagues, where he drew up his army in such a manner that the intention and attempt of the enemy to turn his left were frustrated. On the 28th lord Wellington retreated still further, and took up a new position at Quadra Sayez: the French then, having relieved Ciudad Rodrigo, separated towards Placentia and Salamanca.

The only remaining military transaction of the troops under the command of lord Wellington during this year, of any moment or consequence, took place in Estremadura: and as it was very brilliant and completely successful, it deserves particular notice, although the number of troops engaged on either side was comparatively trifling.

While the main and principal British army under lord Wellington remained posted in the north of Portugal at Frenada, general Hill was stationed at Portalegre, on the southern banks of the Tagus. From this place he was ordered to advance by his lordship for the purpose of intercepting and attacking a French corps which was moving towards the south of Spain. Accordingly general Hill with a brigade of British infantry, half a brigade of Portuguese artillery, and some cavalry, arrived at Ralharte-da on the 26th of October, having learnt that the enemy, who had advanced to Alentejo, had fallen back to Anjo del Puerto.

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On the morning of the 27th general Hill followed the enemy by a short route towards Morida, in the hope that he should be able to intercept and bring them to action. On his march he was joined by a body of Spaniards from Caceres; and at the same time received such information respecting the movements and position of the enemy, as persuaded him that they were completely ignorant that he was in pursuit of them, and so very near them. He therefore made an immediate forced march to Alcuesca the same evening that he received this information, and placed his troops in such a position, that though close upon the enemy they were out of sight. He now ascertained beyond a doubt, that the enemy were still ignorant of his approach, and extremely off their guard. He determined, therefore, if possible to surprise them, or at least to bring them to action, and made immediately the necessary arrangements and dispositions for that purpose.

The town of Arroyo del Molino, where the main body of the enemy were posted, is situated at one extremity of a hill, which runs from it to the rear in the form of a crescent; and is so steep as to be almost inaccessible. There were near this hill two roads, by either of which the enemy might escape: the object therefore of general Hill was to post a body of troops so as to cut off their retreat by these roads.

At two o'clock in the morning of the 28th the whole British troops in one body advanced towards Arroyo del Molino: when they came within half a mile of the town the column closed under cover of a bridge, and divided into three bodies. The left column marched di-

rect upon the town; the right column broke off to the right, so as to turn the enemy's left; the third column, comprised of cavalry, moved between the two columns of infantry, ready to act in front, or move round either of them, as circumstances might require. The enemy did not perceive the approach of the British till they were very near; and at the moment they were filing off from the town upon the road to Merida. The enemy were immediately attacked; and being thus completely taken by surprise, they made a feeble resistance, seeking their safety in flight: but by the judicious measures and precautions of general Hill, their retreat was almost entirely cut off; no way being open to them except over and across the steep hill already noticed: this way they attempted to escape, but were closely and successfully pursued. Thus in a very short time, general Girard with his corps of 2,500 infantry, and 600 cavalry, was surprised, routed, and dispersed; Brune, a general of cavalry, the prince D'Artemberg, a colonel of cavalry, several other officers, and upwards of 1,000 soldiers, being made prisoners: while the loss of the British in this most spirited and skilful enterprise was very trifling.

Such were the operations and achievements of the main British army, under the command of lord Wellington, in the peninsula during the year 1811: and perhaps it would be impossible to point out, in the most brilliant period of our history, an equal space of time, in which a British general displayed greater talent and skill, or British troops performed greater prodigies of valour. Lord Wellington rose above all the calumnies which had been heaped upon him; and demonstrated



monstrated that he was perfectly competent to surpass the most renowned and the most successful French marshals, both in the gene-

ral management of a campaign, and in the particular arrangements of a battle.

## CHAPTER XVIII.

*Military Transactions and Events in other Parts of the Peninsula—Remarks on the Plan of Bonaparte to obtain Possession of the principal Cities in Spain—Cadiz—Battle of Barrosa—Suchet—Tarragona taken—Defeat of the Army of Murcia—Suchet advances against Saguntum—Blake advances to raise the Siege—Defeated—Saguntum taken—Guerillas—Ballasteros—Death of the Marquis de Romana—Remarks on the Progress the French have made in subduing Spain—Proceedings of the Cortez—weak and irresolute—The Inquisition—Constitution proposed by them—Remarks.*

**A**LTHOUGH the operations and achievements of the British army under lord Wellington are most deserving of notice and record, both on account of their magnitude, splendour, and success, and on account of their connexion with the fate of the peninsula being more close and immediate than that of the detached and inferior armies of Spain, yet the military transactions in the other parts of the peninsula, during the year 1811, were by no means destitute of interest and importance.

Bonaparte appears to have been thrown so completely out of his expectations, his plans, and his calculations, with respect to the resistance he met with in his designs on the independence of Spain, and the protracted and obstinate nature of the contest; that for a considerable length of time he carried on the war there in a very desultory manner by armies apparently unconnected with each other, and by no means acting in concert and co-operation with one another. It is not easy to account for this circum-

stance; and yet it cannot be denied by any one who will peruse even the French meagre and partial accounts, published at long intervals, and evidently with great reluctance, respecting the operations and progress of their armies in the peninsula. The narrative, indeed, in most of these accounts is as desultory and unconnected as the operations it embraces: since directly opposite to the very clear and orderly account which the French bulletins in other wars, gave of the events of the campaign, (we here put out of the question the fidelity of these bulletins,) the intelligence from the armies in Spain, as it was denominated, was uncommonly confused, meagre, and contradictory. About the beginning of the year 1811, however, a regular plan appears to have been formed by Bonaparte for conducting the war in Spain. The principal feature in this plan was the occupancy of the principal cities in the peninsula. The advantages, and indeed the absolute necessity, of this plan for the success and support of his armies, is evident.

evident. We have already observed, that the greatest difficulty Bonaparte has to overcome in prosecuting the Spanish war, arises from want of provisions: the country where operations are carrying on being stript of every thing, and the numerous and active parties of the guerillas rendering it almost impossible to collect and convey from a distance the necessary supplies. Another circumstance, also, was peculiarly hostile to his designs on Spain: while his armies actually occupied any particular district, the inhabitants were submissive and quiet; but as soon as they marched to extend their conquests, the territory they left was no longer theirs. Now, as it was impossible, especially in the desolate state of the country, to fill Spain with a sufficient number of troops to keep it all in awe and submission, it is evident that the very force that it was necessary to employ for the purpose of subduing one particular district, by its removal gave the district it had occupied an opportunity of rising in arms.

If, however, the French in the different provinces of Spain could gain possession of the principal cities, they would be able, in some respect, to remove both these difficulties. By the possession of these towns, they could lay up stores of provisions safe from the guerillas, and so near their different armies as to be conveyed to them without interruption or danger; while, at the same time, a comparatively small force being stationed in each of these towns would be sufficient to keep the adjacent district in awe and submission. Besides, if circumstances rendered it necessary for Bonaparte to recall the greater part of his troops from the peninsula, he would

always be able, even with what were left there in these towns, to preserve a firm footing till it was expedient for him to send back his numerous armies. To these considerations may be added, the effect that the occupation of their principal cities by the French, must necessarily produce upon the minds and courage of the Spaniards themselves.

The siege of Cadiz, which was begun soon after the commencement of the Spanish war, originated partly, perhaps, from these considerations, and partly from a desire to gain possession of the fleet which lay there, and of a place whence the coasts of Ireland might be threatened, if not actually invaded. That Cadiz would soon have fallen, had it not been for our assistance both by sea and land, there can be no doubt: there was less of the Spanish spirit in it than in any other town in Spain. But by our assistance it offered insuperable difficulties to the French; while the necessity they were under of repeatedly withdrawing the besieging army, for the purpose of augmenting their force in other parts of Spain, rendered their progress still more slow, and their prospect of taking it still more doubtful and distant.

General Graham, who commanded the British forces in Cadiz, resolved to profit by the absence of a considerable part of the besieging army, and endeavoured to destroy their works, and open a communication with the Isle de Leon. For this purpose, in conjunction with a Spanish force, (the whole being under the command of the Spanish general La Pena,) he effected a night march of nearly sixteen hours, on the 4th of March, from the camp near Veger, and arrived on the

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morning of the 5th on a low ridge, called Barrosa, a few miles from the mouth of the Santi Petri river. The enemy's lines were at Santi Petri; and those were immediately and successfully attacked by the van-guard of the Spanish army, under brigadier general Ledrijabel, by this means opening the communication with the Isle de Leon. After this was effected, general Graham, who with the British occupied the heights of Barrosa, received orders from the Spanish commander-in-chief to quit that position and to take up that of Torre de Bermesa, for the purpose of securing a communication across the river. General Graham had scarcely left the heights of Barrosa, and advanced towards a wood near the Bermesa, when he received intelligence that the enemy had appeared in force on the plain, and were proceeding rapidly, evidently for the purpose of gaining the heights. On these heights a body of Spaniards had been left, as it was of the utmost moment to keep them, as forming the key to the position of Santi Petri: but as the advancing force of the enemy was greatly superior to that of the Spaniards, general Graham determined to measure back his steps, and if possible reach the heights of Barrosa before the enemy could drive his allies from them. As, however, the ground on which the British army was formed was very uneven, and they were under an absolute necessity of counter-marching with the utmost rapidity, the columns were never arranged in complete order. At the time that this counter march was begun, part of general Graham's force was entangled in a wood; and before they got clear, and moved on towards Barrosa, he had the misfortune to per-

ceive the Spanish troops, to whom the occupancy of the heights had been committed, give way, and the enemy beginning to ascend them. No time was now to be lost: every thing evidently depended on a rapid march, and on the steadiness and bravery of his troops. Although they were necessarily much fatigued from the long and arduous march which they had but a very short time before performed, yet with the utmost alacrity they pushed forward. Indeed the situation of general Graham's corps was such, that it could only be saved by the prompt arrangement of a judicious plan, and the cool and brave execution of it on the part of the soldiers. The right wing of the enemy, while their main body was ascending the heights of Barrosa, stood on the plain, near the wood, within cannon shot of the English. Had retreat been resolved upon in this situation, it could only have been effected by crossing the narrow ridge of Bermesa; and during this march the different divisions of the army must unavoidably have thrown one another into confusion.

Under these circumstances general Graham determined on the immediate attack of the enemy, having the most perfect reliance on the bravery of his troops. For this purpose a powerful battery of ten guns began to play from the centre; while on the right were drawn up the brigade of guards, the flank battalion of the 28th, two companies of the 2d rifle corps, and a part of the 67th regiment: the left was formed by a brigade of the Coldstream guards, and the flank battalion of lieutenant-colonel Barnard's regiment.

The battery in the centre was directed against general Laval's division, which continued to advance,  
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notwithstanding it suffered severely, till it was received and checked by the left wing of the British.—This wing, after checking the French, advanced to the charge with the utmost intrepidity, and soon decided the defeat of general Laval's division. In this rencontre the eagle of the eighth regiment of light infantry and one howitzer were taken.

The division of the French under general Rufin was posted on the hill: against this the right wing of the British directed their attack. The enemy trusting to the superiority of their numbers, and the advantage they derived from their position, met our troops on the ascent of the hill, where the battle raged fiercely, and was very sanguinary for a short time. It was, however, but of short duration, for the enemy were quickly compelled to give way; and when they did yield, their position on the ascent of the hill contributed greatly to their confusion and slaughter. Two pieces of cannon were the fruit of the victory of the right wing of the British army.

This action, though obstinate in its nature, and brilliant in its result, did not continue more than an hour and a half: at the end of that time the enemy were in full retreat. General Graham did not think it advisable to pursue them, on account of the exhausted state of his troops. After the battle the British troops reoccupied their first position on the heights of Barrosa, where they were joined by the two battalions of the Spaniards, to whom they had been intrusted when he first quitted them. On the morning of the 6th he proceeded to the Isle de Leon, for the purpose of procuring supplies. Our loss in

this most glorious action was 1243 in killed and wounded; while the loss of the enemy amounted to nearly 3000. Two generals, Rupin and Rousseau, were taken; and general Bellegarde was killed in the action.

In this battle the Portuguese who were attached to general Graham's army behaved remarkably well. That portion also of the Spanish forces which came out of the Isle de Leon, and established the communication across the river Santi Petri, also proved themselves worthy of fighting by the side of Britons. But the great body of the Spanish army, under the commander-in-chief, general La Pena, deserve a different character for their conduct on that day. It is impossible to account for the orders that were issued by this general for general Graham to quit the heights of Barrosa; for his not supporting the Spaniards who were left there, when he saw the enemy advancing against them; and for his permitting the troops under him to remain quiet and distant spectators of the battle between general Graham and the common enemy. Even after the French were routed, and when their defeat and slaughter might have been rendered much more complete by immediate and close pursuit, the Spanish commander-in-chief never offered to put his troops in motion for that purpose. This conduct naturally gave rise to strong indignation and complaint on the part of the British. The Spanish general endeavoured to vindicate himself, and even to throw the blame on the British for not having obeyed his orders! The cortes at first seemed disposed to punish general La Pena: they ordered him into arrest; but afterwards

wards liberated him, and in the course of a few months actually employed him again.

The French general employed by Bonaparte for the purpose of carrying into execution his plan of getting possession of the principal places in Spain was Suchet, a man of uncommon enterprise and activity. One of the first places which he attacked was Tarragona. By the accounts of the French themselves the defence of this place was obstinate and well managed, and the capture of it cost them dear.

After the capture of Tarragona, the French directed their efforts to retake Figueras. This strong and important place they had lost, partly by want of provisions, and partly by the garrison's, consisting principally of Germans and Italians, not being disposed to defend it obstinately. The French, in order to retake it, were obliged to employ such a number of men, as might effectually prevent supplies being introduced, and even after the Spanish garrison were reduced to the utmost straits for provisions, they continued to defend it with great bravery. In the beginning of August famine had made great progress among them; they had attempted in vain to destroy the works of the besieging army; and they now seemed disposed, if possible, to make a desperate attempt, and break through with the bayonet. But the French works were too complete and too strong: a formidable line of circumvallation more than 4000 toises in extent surrounded the town. On the night of the 15th of August the garrison, with Martinez the commandant, sallied out. He reached as far as the first abatis, when his progress was checked, 400 of his men killed, and the rest

compelled to re-enter the fortress. On the morning of the 19th he surrendered at discretion, and 3500 men, and nearly 350 officers, were made prisoners.

One of the most numerous and best appointed armies which the Spanish had, during 1811, was the army of Murcia under general Freyere. In order that this army might be sufficiently strong to cope with marshal Soult in the south of Spain, general Blake had marched in the middle of August to form a junction with it. Soult having intelligence of this proposed junction, pushed on with 5000 men, and attacked general Freyere at two different points at the same time. General Freyere himself, with the division under his immediate command, behaved with the greatest courage, and repulsed that part of the enemy which directed their attacks against him: but the attack of the French on the other points was completely successful. This success was occasioned principally by a large body of Spaniards under general Quedra, consisting of upwards of 6000 men, not arriving at their post. In consequence of the defeat of this wing of the Spaniards, their victory in the other point was rendered of no avail, and the whole army was compelled to retreat. Their line being broken, part of the army was left unprotected, and fell victims, after a most heroic resistance. Although the defeat of the Spanish was complete, and their retreat rapid, yet during the whole of it, for nearly thirty-seven leagues, general Freyere evinced great military talents, and prevented the consequences from being nearly so disastrous as they otherwise must have been.

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After the fall of Tarragona, Suchet directed his march into Valencia, for the purpose of besieging the capital of that province: a city, both from its population and its situation, second in importance only to Madrid itself. But before the French general could sit down before Valencia, it was necessary that he should make himself master of the castle of Saguntum, a place so famous in the history of the Roman wars in Spain.

On the 23d of September the siege of this important out-work of Valencia was begun; but from the nature of the ground, and other circumstances, the French advanced very slowly, and under great disadvantages and difficulties. On the 18th of October a practicable breach being made, an assault was ordered, but the besiegers were repulsed with considerable loss. New batteries were now formed, and every preparation made for a second assault, when general Blake resolved to advance and attempt its relief.

For this purpose he collected a large force, amounting to about 20,000 infantry, and 3000 cavalry, and composed of the army of Murcia, the army of Valencia, and the guerillas. On the 25th of October Blake commenced his attack on the besieging army; and Suchet acknowledged, in his official report, he soon experienced that he had far different troops to contend against from those he had formerly conquered. Soon after the commencement of the action, Blake manœuvred in such a manner as to outflank the French on both sides: in this situation Suchet determined to direct his efforts against the Spanish centre; he thus succeeded in separating the two wings; the right wing, however, at the same

time continuing to advance and to drive the French before them. The principal place of contest, in this part of the battle, was the village of Pugol, in which the Spaniards fought with great bravery, and hand to hand with their enemies. The left wing of the Spaniards, in the mean time, was by no means so successful; but having stretched itself so far out as to be greatly weakened, it was driven back with great loss. The centre, also, being weakened by the extension of the two wings, could not stand the charge of the French, but gave way. This defeat of the left wing, and of the centre, rendered the success of the right wing of little or no avail. In this situation the Spanish army formed itself into squares, and commenced their retreat. The enemy pursued, and repeatedly broke the body into which the retreating army had formed itself, which always formed again, till at length they reached a deep ravine, where the French gave over the pursuit. In this battle the Spaniards lost nearly 2000 men, and eight pieces of cannon: the loss of the French was at least equal.

Suchet lost no time after the battle of Saguntum in summoning the garrison of that fort to surrender; and by means of a deceit, allowable, perhaps, in war, that of representing his own victory as more complete, and the loss of the Spaniards as greater than it actually was, he persuaded the governor to accept the terms he offered; by which the garrison, consisting of 2572 men, were made prisoners of war. Blake after his defeat returned with his army to protect the city of Valencia, against which Suchet also marched.

It is impossible to notice the operations

nations of the other Spanish corps in different parts of the peninsula, even of those which were composed of regular troops, and still less of those which were formed of the guerillas. The latter under several of their leaders, particularly in Catalonia, were very successful in cutting off small bodies of the French; and even in penetrating into and plundering the frontiers of France. Of the regular small corps, that under general Ballasteros was the most active, and harassed the French extremely in the south of Spain. The destruction of this general, if possible, was deemed a matter of such moment, that a very superior French force was dispatched after him, which compelled him to take refuge under the guns of Gibraltar. Here he continued in safety till the enemy retired, when he again commenced his harassing attacks.

The cause of Spain this year suffered a very heavy and severe loss by the death of the marquis de Romana. His death was occasioned by the constant fatigue of body and vexation of mind which he had suffered from the time he entered Spain with his army. There is little doubt that he was much disappointed, both with respect to the actual state of preparation and force which he found, and with respect to the proceedings of the Spanish government. Before his death, most of those soldiers who had accompanied him from Denmark had fallen in the defence of their country; and shortly after his decease, the army which he commanded was surprised, and nearly all cut to pieces, in the vicinity of Badajoz.

Such were the military transactions and events in the peninsula during the year 1811. It requires a very minute, connected, and im-

partial examination of them, before it can be determined, whether, upon the whole, taking every thing into consideration, the cause of the Spaniards has advanced towards a prosperous issue, or receded from it. It cannot be denied or concealed that the French are in possession of more towns, and those of much more consequence, than they were at the close of the year 1810. Indeed with the exception of Cadiz and Valencia, (and the exception with respect to the last cannot be quoted long after the commencement of the year 1812) the French may be considered as occupying all the principal places in Spain: their progress indeed has been slow, attended with much difficulty, interrupted by many reverses, and purchased at a very heavy expense; but still they have made progress. It may indeed be said, and fortunately, it can be said truly, that the country of Spain—that the inhabitants are not subdued; they possess more points than they did, but not much more extent of territory, and probably very few more advocates or even tame yielders to their will. But still the harassing and heart-breaking question recurs: Will the country remain long unsubdued—will the inhabitants continue to hold out as firmly and perseveringly as they have done, after the cities of Spain are in possession of the enemy? But though there may be much doubt and difference of opinion regarding the progress which the French have made, during the year 1811, in the subjugation of the peninsula, we are afraid, if the question is, whether the Spaniards have advanced in their attempt to expel their invaders, it must be answered in the negative. Do their armies fight better? The behaviour of Blake  
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at Saguntum may be cited to prove they do; but on the other hand, the fate of the army of Murcia strongly militates against this position. In truth, they appear to be much what they were, at the beginning of the war, both with respect to the skill and judgement of their generals, and the discipline and courage of their troops. In some actions they both behave so well that one would scarcely hesitate to pronounce that they had improved in military science, and were upon the point of becoming a match for their enemies; while the very same generals and troops in a subsequent action will disgrace themselves by their conduct.

During the year 1811, the guerilla system has been carried to a much greater extent, has been adopted in almost every part of Spain, and has been attended with great success. The difficulties under which the French labour for want of provisions and stores, have been greatly augmented by the intrepidity and activity of the guerillas; and it is not too much to assert, that by them the French have lost more men than they have in regular engagements with the Spanish armies. But after allowing them all their merits, and admitting that they excessively harassed and weakened the French, still, as we have already remarked, the guerilla system never can extirpate the French, nor drive them beyond the Pyrenees. It may render it extremely difficult for Bonaparte to carry on the war; it may render that war much more expensive, bloody, and protracted, than it otherwise would be; but it cannot terminate it, if Bonaparte is determined to pursue it in spite of every difficulty and expense.

The guerilla system, if considered in one point of view, may perhaps be considered as adverse to the regular army of Spain. The inhabitants perceive that by entering the regular army, they undergo great difficulties, and are exposed to be beaten or slaughtered by the French; while, at the same time, they know if they enter among the guerillas, they will live a life of comparative safety and liberty, and are almost certain of enriching themselves with the spoils of their enemies. Is it not therefore to be apprehended that the armies will be thinned, as the guerilla system extends; and that the most active and enterprising men, those who would make the best regular soldiers, will prefer entering into the guerillas to joining the army?

We must still, after considering every thing, adhere to the opinion we expressed in our former volume; that there is no prospect of a termination to the war in the peninsula. This termination, it is evident, must be brought about, either by the French being beaten by us singly, or by us in conjunction with our allies; or by our army being driven out of the peninsula; for the mere beating of the Spanish armies, while the British are in possession of any part of Portugal, will not put the French in possession of the peninsula. But to us there appears as little likelihood that we shall conquer the French armies in the peninsula, as that they will be able to drive us from our lines at Lisbon. We may, and most probably shall, be victorious in every battle where the numbers are equal or nearly so; but Bonaparte will not meet us with equal numbers: he will pour in such an army as will at least check



check our progress after victory; and the country, exhausted as it is, is still adequate to the support of an army much more numerous than we can send or keep there. If indeed our victories were seconded by the exertions and success of the Spanish armies; then there would be good grounds for hope; but while they continue as they are, and we of course must depend solely upon ourselves, we may keep the French in check, and out of Portugal; we may conquer them, wherever they dare to meet us on any thing like equal terms; but our victories will draw after them more fame and glory than solid advantage.

In the course of the year 1811, the British army has beaten the French at Almeida, Albuera, and Barrosa; they have destroyed great numbers of Bonaparte's best soldiers and lowered the character of his generals. These victories must also have produced effects beneficial to the cause of Spain, in Spain itself; and beneficial to the cause of subdued Europe, throughout the continent of Europe; but these effects are slow, and will in all probability be counteracted by other circumstances. On the other hand, while we can boast of having beaten the French, wherever our armies have met theirs, but cannot hold up to view the substantial consequences of these victories, either in the annihilation or capture of the armies of France, or in the conquest of the towns or districts the enemy possesses in the peninsula, Bonaparte can show as a proof that he is advancing in his object, the possession of Saragossa, of Saguntum, of Tarragona and of Figueras; besides the defeat of the Spanish armies as complete as

our defeat of his. Spain, therefore, has yet every thing to do; her efforts and exertions must become much more resolute, general and well directed, before she can even see at a distance and obscurely her independence. While however, in the present most awful, most momentous, and most difficult crisis of her affairs, she is governed by men weak, ignorant, superstitious, irresolute, divided, and not in possession of the public confidence, if not actually the objects of the public hatred and suspicion, it is in vain to hope that her prospects will brighten, or the day of her liberty begin to dawn. Let the cortes act as becomes their character and situation, and as the difficulties of their country require they should act, and even yet the cause of the peninsula is not hopeless; but if they continue to exhibit the same weakness and inefficiency, which has hitherto marked their proceedings, we do not say that the Spaniards will be subdued, but assuredly the French will not be driven out of Spain.

There is no necessity to dwell long upon the proceedings of the cortes during the year 1811: it is an ungrateful subject, and must weary and disgust every real friend to the cause of Spain. As far as addresses to their countrymen written with great force and eloquence, and pointing out the duties and sacrifices required of them, in the most energetic and persuasive manner, could be of service, the cortes performed their duty. In all other respects, they either did nothing, or did what was manifestly injurious to their country. We have already noticed that general La Pena, who behaved so ill at the battle of Barrosa was acquitted by them

them; and uncandid reflections were even thrown out on the conduct of general Graham.

Mr. Wellesley, our ambassador in Cadiz, used every effort to induce the cortes to re-organize the Spanish armies, but without effect; and when he proposed that British officers should be placed over them, or rather should be joined in the command with the Spanish officers, an outcry was immediately raised, that Britain was aiming by this proposed measure at the independence of Spain.

There were evidently two grand objects that the cortes ought from the first moment of their meeting to have directed their attention and efforts to the accomplishment of; the best method of rendering their armies complete, and properly organized, officered and supplied; and the removal of every kind of oppression, which either kept down the efforts and the spirits of the people, or which rendered them indifferent or averse to the expulsion of the French. The Spanish armies were repeatedly beaten by the French; the causes of their defeat were easily seen; they were pointed out to the cortes. Britain supplied the means, as far as lay in her power, to put the armies on a better footing; and every thing that was required for that purpose, the cortes could easily have managed. Yet no change took place; nothing was done.

Many persons anticipated from the proceedings of the cortes, the infusion of a greater portion of spirit and enterprize into the Spanish nation. Before they meet, they observed that it could hardly be expected that the people of Spain would fight against Bonaparte, when their ancient constitu-

tion was denied them; but that when their representatives were assembled, and were acting in their behalf, they would then come forward in a cause they knew to be their own. But we have seen the cortes assembled now for a considerable length of time, and yet what have they done for the people or for their country; in how many instances have they not injured the cause they were bound to protect and forward. One of the first acts of Bonaparte, after he obliged the Spanish monarch to make over his crown to him, was to abolish the inquisition; this was the act of a tyrant; it was done from politic motives; and yet the cortes, the representatives of a people fighting for their liberty, had neither the justice, the wisdom, or the policy, to imitate this act of Bonaparte. It will scarcely be believed that in the cortes of Spain, in the nineteenth century, assembled as they were for the purpose of assisting their countrymen in becoming free, the inquisition should have been praised and defended.

It may easily be conceived that the character and proceedings of the cortes filled the Spaniards with indignation and alarm. They saw month after month, and year after year passing away; their armies dispersed and defeated, the French ravaging and desolating their country, and gaining possession of their principal cities, and the efforts of their allies the English checked, paralysed and even thwarted; while the cortes, and the men in whose hands the administration of affairs was lodged, spent their time in frivolous disputes, or in enacting decrees that would have suited the state of Spain in the fifteenth century, but were irrelevant or injurious

jurious at the beginning of the nineteenth; that might have become the ministers of Philip the second, but were out of character, when proceeding from the representatives and governors of a nation fighting for its liberty.

And yet by a strange but not unusual inconsistency, a constitution for Spain was presented to the cortes, and approved by them, which in many of its articles, and in its very spirit and principle, bordered on the very extravagance of liberty; while the proposal to abolish the inquisition, to strike the shackles off commerce, and to place the American colonies on an equal footing with respect to civil and political privileges with the mother country, was received with aversion and alarm. The following are the heads of the constitution.

Spain belongs to the Spanish people, and is not the patrimony of any family.

The nation only can make fundamental laws.

The Roman catholic and apostolic religion, unmixed with any other, is the only religion which the nation professes or will profess.

The government of Spain is an hereditary monarchy.

The cortes shall make the laws, and the king shall execute them.

#### SPANISH CITIZENS.

The children of Spaniards, and of foreigners married to Spanish women, or who bring a capital in order to naturalize themselves to the soil, or establish themselves in trade, or who teach any useful art, are citizens of Spain.

None but citizens can fill municipal offices.

The rights of citizenship may be lost by long absence from the country, or by condemnation to corporeal or infamous punishments.

#### THE KING.

The person of the king is inviolable and sacred.

He shall sanction the laws enacted by the cortes.

He may declare war, and make peace.

He shall appoint to civil and military employments on the proposal of the council of state.

He shall direct all diplomatic negotiations.

He shall superintend the application of the public revenue, &c.

#### RESTRICTIONS ON THE KINGLY AUTHORITY.

The king shall not obstruct the meeting of the cortes in the cases and at the periods pointed out by the constitution, nor embarrass or suspend the sittings, &c.

All who may advise him to any such proceedings shall be holden and dealt with as traitors.

He must not travel, marry, alienate any thing, abdicate the crown, raise taxes, nor exchange any town, city, &c. without having first obtained the permission of the cortes.

Don Fernando VII. is declared by the cortes king of Spain, and after his decease, his legitimate descendants shall succeed to the throne.

The king shall be a minor until he has completed the age of 18 years.

The eldest son of the king shall be called prince of the Asturias, and as such, shall, at the age of 14, take an oath before the cortes, to maintain the constitution, and to be faithful to the king.

During a minority, a regency shall be formed, which shall superintend the education of the young prince, according to the orders of the cortes. The regency shall be presided over by the queen mother, if she be in life, and shall be composed of two of the oldest deputies  
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of the cortes, who shall be replaced from year to year, and of two councillors of the council of state, chosen in the order of their seniority.

The cortes shall fix the salary proper for the support of the king and his family, and shall point out the places destined for his recreation, &c.

The infantes may be appointed to all employments, but cannot be magistrates, nor members of the cortes, and must not leave the kingdom without the permission of the said cortes.

There shall be eight secretaries of state, including two for South and North America; they shall be responsible for the affairs of their respective departments, and the remuneration which they shall receive shall be determined by the cortes.

A council of state shall be formed, consisting of forty members; four of this number are to be grandees of Spain, of acknowledged merit and virtue; four ecclesiastics, of which two shall be bishops; twelve Americans; the remaining twenty members to be chosen from among the most respectable citizens of the other classes of the community. The council shall meet every year on the 1st of March, and shall sit during three months. This period can only be extended on the request of the king, or for some reason of great urgency. In such cases the session may be prolonged, but not beyond one month.

The election of the cortes shall take place conformable to the mode prescribed by the constitution, and one deputy shall be chosen for each 70,000 souls.

The sittings of the cortes shall be opened by the king, or in his name, by the president of the deputacion of the cortes, which ought to remain permanent, in order to watch over the fulfilment of the constitution.

If the enactment and promulgation of this or any similar constitution had a tendency, in the present circumstances of Spain, to rouse the people to greater exertions, or to place the armies on a better footing, the time of the cortes would have been well spent in framing and discussing it; but it may fairly and rationally be conjectured that the direct and immediate removal of the grievances actually complained of by the people would inspire more zeal, than the remote prospect of a constitution built on the most free, abstract principles; and it certainly would be much more wise to take effectual measures to secure their countrymen from the presence and the power of the French armies, and thus to regain their national independence, before they determined on the constitution, which was to guarantee their civil and political liberties.

## CHAPTER XIX.

*Affairs and Transactions in Spanish America—Preliminary Remarks—Inconsistency of the Provisional Government of Spain in their Conduct towards the Colonies—State of Parties in the Colonies, at the Beginning of the War in the Peninsula—Grievances complained of—Transactions in the Caracas—Miranda—Civil War there—Declare themselves independent—Santa Fe—Buenos Ayres and Monte Video—Liziers—His Death—Battle between the Troops of Buenos Ayres and the Viceroy of Lima—Elio arrives at Monte Video—Armistice—Chili—Mexico—Civil War there—Venegas—His Character—Defeats the Insurgents—Remarks on the Independence of Spanish America.*

IN our narrative of the proceedings of the cortes of Spain, and in the remarks which we judged it right to offer on those proceedings, we abstained from noticing their conduct towards the Spanish colonies in America. This we did because we considered it proper to devote a separate portion of our historical register to the transactions and events which occurred in those colonies; and in the course of this narration, the proceedings of the cortes respecting them would naturally and regularly fall under our cognizance.

We are fully aware how extremely difficult it is to gain information on this subject, and that consequently our account of those disturbances which have agitated, and continue to agitate nearly the whole of the Spanish transatlantic possessions, must on some points be inaccurate, and in other points defective: but the subject is one of so great importance, that we have determined to undertake it notwithstanding the scantiness of the materials. It is indeed of importance, not merely because it involves the history of a large and one of the fairest portions of the globe; a portion which bids fair one day

to become the seat of liberty, civilization, and knowledge; but because, by attending to the conduct which the cortes pursued towards the Spanish colonies in America, we shall gain a further insight into their character, and additional proofs of their imbecility and unfitness for the situation they fill.

It might have been supposed that the government of a nation which had taken up arms for the defence of its liberty and independence, which had suffered severely from tyranny and oppression; and which had called upon the inhabitants of Spain, if they valued their national honour and well-being, to stand forth in defence of their country, would have behaved with liberality and justice at least, to those who were under their sway in every part of the world. Even had they not been induced by a desire of acting consistently, and from principle, to bestow upon others what they claimed for themselves, yet policy and prudence appeared to point out a line of conduct, conciliatory at least, towards the Spanish colonies. In the struggle in which Spain was engaged, great exertions were to be made, great expenses

penses incurred, and great difficulties were to be overcome: in all these respects the good-will and co-operations of her American colonies might be of great service to her. On them in a great measure her commerce depended; from them she received her supplies of money, now so absolutely necessary for the maintenance of her armies, and consequently for her success against the armies of France.

But the provisional governments of Spain, which successively ruled that country since the breaking out of the war, appear to have acted towards the Spanish colonies in a manner inconsistent, not only with justice, but with policy. Bonaparte on the other hand; at the very time that he formed his designs against the mother country, did not neglect adopting such means as he thought most likely to secure his power in the colonies; or at least, as would separate them from Spain in case he did not succeed against her. For a short time the knowledge of these machinations of France induced the supreme junta to hold out to the colonies the prospect of concessions, and the participation of the rights and privileges of the mother country; but these promises were never fulfilled: on the contrary, all the grievances under which the colonies laboured, and the existence of which had alienated their minds from Spain, were still continued, and even were increased, extended, and augmented. One of the grievances most loudly and generally complained of was, that all the places of honour and emolument in Spanish America were bestowed on Europeans who crossed the Atlantic, apparently for the sole purpose of gratifying their ambition or enriching themselves at the ex-

1811.

pense of the colonies: this grievance was increased during the provisional governments of Spain.

Yet, notwithstanding the causes for discontent, alienation, and dissatisfaction, which existed in Spanish America, and which were rather augmented than diminished by the provisional government, the colonies warmly participated at first in the cause of the mother country. Great as their reason was for complaint against Spain, they disliked France still more; and the apprehension or prospect that Bonaparte should subdue the country from which they sprang gave them great uneasiness and alarm. At this period, therefore, had the provisional governments acted towards them with common caution, policy, or justice; had they cherished, instead of cooling and repressing the zeal for the cause of the mother country, which the Spanish colonies evinced; it is highly probable that the disturbances under which they have suffered, and still suffer, would not have occurred.

The very dread of French influence and power acted in a very considerable degree in producing the convulsions in Spanish America: for being convinced that the prince of Peace was a creature of Bonaparte, they looked with suspicion on all whom he sent out to America to fill places of trust and power; and afterwards when the prince of Peace was removed, the weak and unsuccessful proceedings of the supreme junta infused a suspicion into the minds of the colonists, that those also who were sent out by them were more attached to France than to their native country.

In this state of the public mind, irritated and restless, not knowing

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in whom to repose confidence, or by what marks to distinguish their friends from their foes, news arrived that the French had gained possession of Seville, and that the central government was dissolved. This intelligence acted on both parties; on those who were attached to the mother country, but who dreaded French influence and power, and on those who were eager to separate from Spain, in such a manner as to rouse them both into a state of activity and exertion; and though their motives and views were diametrically opposite, they cooperated to produce the same effect, the dissolution of the government. The first party augured from the success which the French had experienced in Spain, that their partisans (among whom they reckoned the members of the government) would put forth all their manœuvres and strength to further the plans and objects of Bonaparte; while the other party, convinced that the mother country was now destined to become a province of France, or at least, that she was in such a state of alarm and weakness, that she could no longer support her authority in her colonies, determined to seize the moment thus propitious to their views of national independence. This was the state of the province of the Caraccas in the spring of 1810. The government of this province, finding itself either deserted or attacked by all parties, gave way; and a provisional junta was formed. Still however, the party who were eager for independence disguised their sentiments: they pretended that they acted from the same motives, and with the same views as those who suspected the government of being attached to France, and who

on that account, solely brought about its dissolution. In a very short time indeed, their real sentiments were avowed; and they seized the earliest opportunity to carry their designs into execution.

Unfortunately, the conduct of the regency in Spain was much more calculated to favour, than to crush and thwart the designs of those who aimed at the independence of the colonies. The central junta had solemnly and expressly declared, that the colonies of Spain had a just claim to equal rights and privileges with the mother country; but this was merely a declaration: when the government came to act, they forgot their declaration and treated the transatlantic possessions in all respects as dependent colonies, destitute of those rights and privileges which they had held out to them. In every respect their conduct towards them was regulated by the principles on which the old government of Spain had acted in its worse times. Viceroy, captain-generals, and judges were sent out with the same authority and instructions as heretofore. But, there was still another circumstance in the conduct of the regency, more extraordinary and unaccountable, and which served to keep alive in the breasts of those colonists who were attached to the mother country, all those suspicions which the behaviour of the provisional juntas had created: not a few of those who were sent out with power and instructions had taken the oaths of fidelity and allegiance to Joseph Bonaparte. This was extremely favourable to the views of those who aimed at separation and independence; since every thing which tended to alienate the public mind from the regency, and consequently from

from the mother country, paved the way for the execution of their designs.

Still, as if the regency had not done enough to create disaffection and suspicion in the colonies, they had recourse to another most objectionable measure. By the old laws of Spain the colonies could not under any circumstances trade with any foreign country: all their commodities were obliged to be sent directly and exclusively to Spain. Soon after the regency was established, the island of Cuba remonstrated against this law, and procured a decree, by which the colonies were permitted to trade with foreign nations in articles of their own production; against this the merchants of Cadiz remonstrated; the regency weakly and foolishly yielded to their remonstrances, and in a very few weeks after this decree was passed, it was repealed, under the most absurd pretence that it was a forgery.

While the people of the Caraccas were still angry and disappointed by these proofs of imbecility, tyranny, and impolicy of the regency, intelligence arrived that all who had countenanced or adhered to the late revolutionary proceedings were proclaimed traitors; and that the ports were to be in a state of blockade till the province should acknowledge, not merely Ferdinand VII. but that the regency at Cadiz were his only true and legitimate representatives. In order to support this bold and obnoxious measure, the regency, to complete the proofs of their folly and imbecility, dispatched a lawyer of the name of Catavania, who, afraid to take up his abode in the Caraccas, came no further than Porto Rico; and from thence issued his proclamations, which were

impotent and of no avail in any other respect, but in provoking and alienating the colonists.

That party in the Caraccas, which had long entertained the design of separating the province from the mother country, now conceived that the time was arrived when they could easily and safely carry their design into execution; for this purpose, they summoned a general congress of delegates from all the principal towns and districts which were favourable to their views. This congress met at Caraccas on the 2d of March, 1811. As it was still necessary, for some time at least, to preserve the appearance of loyalty and attachment to their sovereign, they took the oath of fidelity to Ferdinand VII. and declared their wish and resolution to continue connected and in amity with the mother country. At this conjuncture Miranda made his appearance; he had been long ambitious to bring about and secure the independence of the Spanish colonies, hitherto his attempts had not been successful, he was therefore eager to avail himself of these circumstances and events so favourable to his plans; and having procured himself to be elected for one of the most inconsiderable towns in the province, his influence and spirit soon began to manifest themselves. Before he appeared to animate and direct the insurrection, it had been marked with great mildness and moderation; and the movers and first leaders of it were content in cautiously and gradually advancing towards the attainment of the objects they were desirous to attain and secure. Far different was the character of the insurrection, and the behaviour of the leading members of the congress,



gress, after Miranda gained access to it.

One of the first fruits of this change of character appeared in the deputies, who so lately had renewed their oath of fidelity to Ferdinand, abjuring his authority; declaring themselves, and their country at the same time, absolved from all dependence upon or allegiance to the crown of Spain; while they constituted the provinces, of which they were deputies, into free and independent states, under the title and designation of the limited provinces of Venezuela.

A civil war with all its horrors and cruelties now commenced: each party proscribed the other, and inflicted the most summary punishment on those who fell into their power. Many persons were arrested and thrown into prison on suspicion; some were banished; others put to death; and in short all those scenes which characterized and disgraced the commencement of the French revolution, were acted in the Caracas, with equal violence and ferocity, though in a more confined theatre. The European and creole families in general, naturally were disposed to resist these proceedings; they of course felt the power and vengeance of Miranda and his partisans. Valencia, which is principally inhabited by old creole families, at the commencement of the insurrection, had sent deputies to the congress; but afterwards disapproving of their proceedings, and especially of the declaration of independence, it deserted the party of Miranda. To punish it for this defection, he marched against it with a large body of troops; and inflicted on its inhabitants a most severe punishment.

These disturbances and violent proceedings naturally alarmed the governors of the neighbouring provinces. On their first breaking out, the viceroy of Santa Fe de Bogota ordered in the most strict and peremptory manner, that all communication should be closed and cut off between his government and the insurgents. But his efforts to guard the provinces subject to his jurisdiction from the spreading and overwhelming evil were unavailing. In them the same causes existed, which had existed in the Caracas, and produced there a separation from the mother country and a civil war: one party were afraid and suspicious of their magistrates and governors, as attached to the French interest; while another party were desirous of shaking off the authority of Spain. Under such circumstances, great caution, prudence, and moderation were necessary in order to preserve the public peace: unfortunately these qualities did not exist. On the contrary, the corregidor of Socono, actuated by a rash and violent spirit, ordered the troops under his command to fire upon the populace, who had assembled, unarmed, but mutinous. Thus was the spark set to the inflammable materials, which had been long accumulating. The insurrection broke out and spread rapidly. The inhabitants of the neighbouring district, having learnt the outrage which the corregidor had committed against the people of Socono, came into the town in great numbers; and having compelled him to take refuge in a convent, starved him into surrendering. This town now threw off its dependence and allegiance; appointed a junta; and transmitted to the government of Santa Fe an account

account and vindication of its proceedings. Nearly at the same time the populace of the capital of this province had manifested strong symptoms of disaffection and tumult; the viceroy therefore, unable to put down by force of arms the insurgents of Socono, consented that they should establish a junta, of which he was appointed the president.

For a very short time after these proceedings in Santa Fe, the insurgents appeared disposed to retain the show of allegiance to Ferdinand VII.: but an event which took place at Quito, and which excited universal detestation throughout Spanish America, made them throw aside the mask, and avow their determination to be free and independent of the crown of Spain; this event so fatal to the cause and character of the mother country, was the massacre at Quito of a great number of the principal creoles of that city, by a body of troops under the direction and in the service of the viceroy of Lima. As soon as intelligence of this massacre reached Santa Fe, the viceroy was deprived of his situation and authority, both as president of the junta and governor of the province. In order to follow the revolutionary course regularly and completely, the ancient name of New Granada was changed into Cundinamarca. The insurgents of this province, however, still stopped short of the proceedings of those of the Caraccas; for though they abjured the provisional governments of Spain, they acknowledged Ferdinand VII. as their legitimate sovereign; this remnant of loyalty so much displeased the insurgents of the Caraccas, that they remonstrated

with them on the subject, declaring that they will acknowledge no form of government but what they make for themselves.

The events which have occurred in the province of Buenos Ayres afford another proof and example of the mischief and evil which have resulted from this revolutionary spirit. The town of Buenos Ayres had many peculiar causes of complaint against the government of Spain, besides causes which operated on her, as well as on the rest of Spanish America. The greatest number of its inhabitants are merchants: of course the absurd restrictions placed upon the commerce of her colonies by Spain were severely felt by them; and as the articles which they export are chiefly of a perishable nature, whatever suspends or interrupts commerce must fall heavily on them. Suffering from these circumstances, they had frequently complained of the monopoly of the mother country, as pressing on them with peculiar severity; nor were the other inhabitants of Buenos Ayres without their grievances and cause of complaint against the mother country. Creoles of the oldest families, and of the highest rank and character, saw themselves deprived of the offices of the state, in order that they might be filled by men of very doubtful character, of mean rank, and destitute of talents, from old Spain. In short, at Buenos Ayres, as in every other part of Spanish America, the conduct of the government of Spain was the same: it is difficult to pronounce or ascertain whether it was more unjust or impolitic; whether it was more calculated to injure the colonies or the mother country; whether it

was the result of extreme folly or of extreme wickedness, or of both combined.

It is not to be wondered at, that in the town of Buenos Ayres the revolution was brought about and completed without any difficulty or resistance. The viceroy either perceiving objection and resistance useless, or disposed to coincide with the principles and views of the insurgents, gave up his authority quietly; but it was otherwise in the other parts of the province: they did not feel so acutely and extensively as Buenos Ayres the oppression of the mother country; nor were the inhabitants in general so much inclined to the principles on which the revolutionists of Buenos Ayres acted. This difference of opinion and conduct was principally visible at Monte Video; the town recognized the regency of Cadiz; a civil war commenced between it and Buenos Ayres; and while the latter besieged Monte Video by land, Monte Video, aided by the Spanish marine, the presence and influence of which had at first induced it to acknowledge the regency of Cadiz, threatened Buenos Ayres from the river. In the midst of this civil war, the British admiral and the British naval officers on that station, had a difficult and delicate task to execute: they were applied to by both parties, but very judiciously declined taking part with either; contenting themselves with protecting the British ships and merchants.

Besides Monte Video, Cordova another town in the viceroyalty of Buenos Ayres, about 500 miles from it, in the interior, became the scene of a counter-revolution, under Liniers and other adherents of Spain. On many accounts this

counter-revolutionary party was dreaded by the insurgents of Buenos Ayres; the leader of it, Liniers, was a person of great influence and considerable talents; he also was deservedly popular at Buenos Ayres. Many attempts were made to gain him over, but these failing, a large body of troops was dispatched from Buenos Ayres against Cordova; on their approach, the leaders of the counter-revolution, apprehensive either that the people were not able to cope with regular forces, or suspicious of their steadiness and attachment, precipitately fled; and attempted to reach the frontiers of Peru. In this attempt however, they did not succeed: they were pursued and taken; and without even the form of trial put to immediate death, Liniers surrendered himself; but this did not save his life: two days after his surrender, he was shot through the head.

In the meantime, the viceroy of Lima, having received information of the revolutionary proceedings at Buenos Ayres, determined to crush them if possible; for this purpose he raised a considerable army, and marched towards the Andes. The army sent from Buenos Ayres to attack Cordova heard of the approach of the viceroy while they were at that city; and having completely succeeded in the object for which they were sent, their leader resolved to advance and meet the viceroy of Lima. The hostile armies met at Suipacha, in the beginning of November, 1810; an action took place, and the insurgents were victorious: the consequence and reward of their victory was, the possession of Potosi, and of the greater part of the upper provinces,

ces. The army of Peru however, though defeated was not destroyed, nor even greatly weakened or discouraged: they rallied; and on the 10th of June, 1811, completely defeated and dispersed the army of Buenos Ayres at Desaguadero.

But the state of the Spanish provinces in America was such, that no permanently beneficial effects to the counter-revolutionists could arise from their victories; for while they were pursuing or defeating one hostile army, another rose up: the victorious army of Peru were prevented from pursuing their advantage and regaining possession of the country which they had lost in November, 1810, by the intelligence that an insurrection had broken out at Arequipa on the south sea, against which it was judged expedient that they should immediately proceed.

In the mean time, the war between Buenos Ayres and Monte Video continued, and was carried on with great exertion and implacability. We have already mentioned that the English wisely preserved a strict neutrality; at the same time they conducted themselves in such a manner, as for some time to prevent the hostilities from becoming violent and cruel. For a considerable length of time Buenos Ayres seemed to gain upon Monte Video, although the latter by her superiority at sea, and consequent command of the navigation of the river, frequently distressed Buenos Ayres very much. In the beginning of 1811, affairs took a different turn, and assumed a different aspect. The regency sent out Elio, an officer of marine, a man of great activity and resolution, but of a violent temper and character: he at first attempted

to persuade the junta of Buenos Ayres to receive and recognize him as viceroy of the province; failing in this attempt, he attacked their ships, destroyed their commerce, menaced the city itself with bombardment, and threatened to call in a Portuguese army from the Brazils to assist him in his designs, and in the support of his authority. He did not, however, content himself with these open and spirited measures; he had also recourse to intrigue, and contrived to introduce or secure partisans in Buenos Ayres itself. The junta found themselves in a most critical and perilous situation; threatened by a hostile army from without, and surrounded within by men whom they could not trust, and who were ready to betray the city into the power of Elio. In this emergency they recalled an army which they had sent to the Portuguese frontier of Paraguay, and sent it against Monte Video; and banished all Europeans who could not find security for their good behaviour.

After various success, the army of Buenos Ayres, at one time, blocking up and bombarding Monte Video, and the fleet of Elio, at another time, threatening Buenos Ayres, a suspension of hostilities was agreed upon; but it is very doubtful whether it will lead to a permanent peace or accommodation. On the one hand the character of Elio is adverse to such a termination; though a man of more talents and activity than those the government of Old Spain generally send out to their American colonies, yet his ambition, or rather, perhaps, his violence, seemed to stand in the way of all accommodation, not preceded or built upon a total acquiescence on the part of the

Junta of Buenos Ayres, with all his demands: and when we reflect what these demands are likely to be, and on the disposition and interests both of the junta and of the inhabitants of Buenos Ayres, we cannot be very sanguine in our expectation that the differences between the two cities will be completely and permanently made up. On the other hand, the government of Old Spain do not seem just or wise enough to grant the fair and reasonable demands of the inhabitants of Buenos Ayres; they will not listen to their terms, if those terms include a free trade, or even the removal of those restrictions which have hitherto injured the trade of this city without materially benefitting the mother country. It is to be observed too, that Buenos Ayres having tasted of the sweets of British commerce, will be less disposed than ever to forgo her demands on this point. The government of Old Spain will be still more averse to grant the terms of Buenos Ayres, if those terms call for a participation in the rights and privileges of the mother country; and as the junta and inhabitants of Buenos Ayres have (with the exception of the Caraccas) acted with more violence and proceeded to greater lengths in disputing or throwing off the authority of Ferdinand, it is hardly to be expected that they will again submit to it, especially as in the war they have carried on with Monte Video, no decisive advantage has been gained over them.

The province of Chili is the only part of the Spanish possessions in America, in which the government has passed without opposition, violence, or tumult from those in whose hands it had been lodged by the mother country, into the

possession of the great creole families, who may fairly be considered as forming the aristocracy of the colony. Ignorant as we are of the particular circumstances in which Chili was placed, at the time when intelligence was received that Spain had been invaded by Bonaparte; that the sovereign and his son were both prisoners; and that the French arms were likely to succeed in conquering the peninsula; and being also destitute of precise and full information respecting the parties which existed in that province, the views by which they were actuated, and the influence and operation which their views under the circumstances of the mother country, would have on their proceedings and conduct;—it is extremely difficult to point out the cause which has exempted Chili from those convulsions which have agitated the other parts of Spanish America. It is probable however, that as Chili is, comparatively speaking, not so rich as the other parts of the Spanish transatlantic possessions, fewer men of desperate fortunes would be sent into it by the Spanish government; and it would at the same time be less the object of the schemes and ambition of Bonaparte. Hence the suspicion and dread of French intrigue and power would not exist and operate so widely or strongly in it. Besides, being not nearly so much within the reach of that party who had acquired romantic notions of liberty and independence, it would also be freed from the violent measures which in other parts of the Spanish colonies, they had attempted, and in some degree succeeded in carrying into execution. The natural result of the change of government in Chili having been brought about without resistance or violence

violence, was, that the persons who obtained the supreme power, used it with great moderation.

One of the most important colonies which Spain possesses in America is that of Mexico; and this colony has suffered dreadfully from civil war. In the year 1808 the viceroy of Mexico, Harngaray, was arrested and deposed by one party of the inhabitants; while the other party espoused and endeavoured to support his authority. This conduct towards the viceroy seems to have proceeded, rather from some dislike towards him, arising from circumstances connected with his personal administration, than from his connexion with the central junta of Spain; for this junta, instead of expressing their disapprobation of the conduct of those who deposed him, and sending out orders that he should be reinstated in his authority, approved of and rewarded them for what they had done. By this strange behaviour of the junta, that party which had supported the viceroy, and which might naturally have been considered as the party attached to the mother country, declared their enmity to Spain in the most unequivocal language, and by the most decidedly hostile conduct. They soon found their partizans increased. Mexico had felt long and severely the impolitic and unjust measures of Spain; she had been inundated by men sent from thence, in order to retrieve or make their fortunes by the plunder and oppression of the colonists. The creoles were neglected; and, as if neglect were not enough to irritate and alienate them, their hopes and expectations were repeatedly raised by the Spanish government, and then dashed to the ground. Had the Spanish govern-

ment been actually desirous of disgusting and separating the Mexicans entirely from the mother country, they could not have done it more effectually than by the whole tenour of the conduct they adopted.

The intelligence of the defeat of the Spanish armies by the French operated in the same manner in Mexico as it did in other parts of Spanish America. Those who wished to preserve their connexion with, and their dependence upon the mother country, thought they should best effect their purpose, by alienating themselves from those who exercised the provisional government in Spain; because they regarded them, either as the emissaries of Bonaparte, or as totally disqualified, if honest and patriotic, by their want of talents from saving their country from his power; while those who had long indulged a secret wish to throw off the yoke of Spain, thought this a most favourable moment, to declare and carry into effect their designs, when the Spanish government was so weakened and occupied at home, that they had neither leisure nor ability to attend to the affairs of the colonies. It was thus no difficult matter for the party who wished to separate entirely and permanently from Spain, to make use of the influence and even of the efforts of those, who only wished to declare their dissatisfaction with the conduct of the provisional government.

While things were in this critical state, an insurrection broke out, in September 1810, at Dolores, a town in the province of Guanajuato, in the middle of the mining district of Mexico. This insurrection was begun, spread, and headed principally by the priests; afterwards

wards several lawyers and military officers joined it; and the latter brought over some regiments of militia. This insurrection spread rapidly and widely: in a short time more than half the province was overrun by the insurgents or had joined them. Upwards of 40,000 men were in arms; and though they were repeatedly defeated, they constantly rallied and appeared with undiminished force.

In the month of November they advanced with great confidence and in great force against the city of Mexico itself; they had previously taken the populous town of Guanajuato, and been received as friends by the inhabitants of Valladolid. Their expectations of gaining possession of Mexico arose more from the power and intrigues of their partizans within the city than the force of their army. But in these expectations they were mistaken; for while affairs were in this critical state, Venegas arrived from Spain, as viceroy of Mexico. He was a man peculiarly fitted for the management of the government at this period; for he was possessed in an eminent degree of activity, firmness and energy. He was at the same time cool, prudent and cautious; uniting these qualities in an extraordinary degree; never permitting them to interfere with each other; always able to perceive when circumstances called for the one set of qualities or the other. He soon detected the partizans of the insurgents within the city of Mexico: he watched all their movements: he thwarted all their measures; so that they had no opportunity to be of the least service to the army that was advancing against the city. At this period, too, the influence of super-

stition was called in; the archbishop threatened to excommunicate all who had joined the insurgents, if they did not immediately desert them: this kept back their partizans within the city, and even thinned the ranks of their army. Venegas, however, did not depend entirely upon these measures; he collected as many troops as he could, and entrenched them without the city for its defence: the insurgents, disappointed in not being supported by their partizans, and afraid to cope with an army strongly entrenched, and headed by such a leader, marched away without attempting any thing. Venegas immediately took measures for pursuing them; and in his pursuit displayed great ability: he never attacked them, but when he was certain of success; while all his movements harassed and baffled them. He thus drove them before him, and greatly weakened as well as dispirited their troops. At length in March 1811, the principal leaders of the insurrection, their army being greatly reduced by defeat and desertion, were surprised at Saltillo. Notwithstanding all these disasters, the spirit still existed, for within a very short period after the battle of Saltillo, a body of 12,000 insurgents were collected near Queretaro and again defeated.

It would appear that Venegas has used his victories with great cruelty: he has inflicted the most severe and barbarous punishments upon such of the insurgents as have fallen into his hands. Indeed the civil war in Mexico has been attended with greater slaughter and cruelty than in other parts of Spanish America: in this province the jealousy and hatred existing between the Europeans and the creoles

creoles is very great; and when this jealousy and hatred was increased, and found room and opportunity to operate without restraint during the civil commotions, it may easily be supposed that their effects would be dreadful in the extreme. The country has been laid waste: every thing has been destroyed that could be destroyed; houses, plantations, and even the miners have suffered; so that even if tranquillity were restored, of which though the prospect is more likely, it is still very distant and uncertain, many years must elapse, much labour and capital must be expended, before the country will resume its former condition, or the inhabitants be restored to their former wealth and comforts. The destruction of the mines is principally to be deplored; it must necessarily require a great outlay of money before they can be put into a condition again to be wrought with ease, advantage and profit: and they will be unproductive at the very time when the mother country stands most in need of their wealth.

We have thus given a short, and necessarily a very imperfect sketch of the occurrences in Spanish America since the commencement of the war in the peninsula: for the materials of this sketch we have been principally indebted to a most judicious and able article in the 37th number of the *Edinburgh Review*; and as the views of the author respecting the independence of the Spanish colonies are evidently the result of much knowledge and thought, and are distinguished by their moderation and good sense, we shall conclude this chapter by transcribing that part of the article alluded to, which contains them.

"We shall in a few words state

our reasons for thinking that it is not for the interest of the Spanish colonies to declare themselves independent, or to separate entirely from the mother country, unless compelled to it by the unreasonable obstinacy of the government of Cadiz, or by the complete conquest of Spain by the armies of France.

"In the first place, it is clear that independence of the mother country is not to be attained at present by the colonies, without a civil war and all its consequences; such as the devastation and destruction of the country, the interruption of all peaceful industry, divisions and animosities among the inhabitants, military tyranny and usurpation, or, what is worse, subserviency to some foreign power, not less rapacious than Spain, and more jealous of her dependencies. The numbers of Europeans, in America, who would resist so great a revolution, unless forced upon them by necessity; the power which they possess; the union that subsists among them; the influence they derive from property, from intermarriages and other connexions with creole families; their activity and habits of business; the respect in which they are held by the inferior casts, and by the creoles themselves; and even the ideas of their own superiority in which they have been accustomed to indulge,—render them, though the smaller party, a formidable body, which ought not in prudence to be exasperated. Oppression may be so galling, and grievances so intolerable as to overcome all these considerations: but an empty name is not worth the purchasing with present war and future discord.

"In the second place, the sudden change from dependent colonies to sovereign



sovereign states is a transition too great and too abrupt to be unattended with danger. The Spanish colonies have never been entrusted with any part of their internal administration; and are therefore quite unpractised in the government of their affairs. A nation may be compelled by circumstances to pass at once from the custody of a master to the free and absolute direction of its own concerns. But there will be less hazard when the change of the steps that lead to it are gradual. Freedom to be well enjoyed must not be seized immaturity. The way to profit of conjunctures favourable to liberty, is not to do all that is possible at the moment, but to attempt no more than the necessities of the time require, and the state of public opinion warrants.

"Lastly, the character and composition of society in America greatly increase the difficulty and augment the danger of a thorough revolution in its government. The property of the country is chiefly in the hands of creoles and Europeans; while the majority of the population consists of Indians, mulattoes and mestigoes. These casts are not more distinguished from one another by differences of physical constitution and appearance, than alienated by sentiments of mutual prejudice and aversion. The court of Madrid, with that narrow policy which so long distinguished it, sought to preserve, rather than to extinguish these differences; and with regret we observe in the late proceedings of the cortes a disposition in some of its members to perpetuate them\*. But supposing the contrary system

adopted, and the most effectual means employed for eradicating every cause of antipathy and discontent from the colonies, it must be a work of time to consolidate such mixed and discordant materials as compose the present population of America. In the mean while, will the pride of the creole admit the Indian and mulatto to a real equality with himself? Will the hatred and jealousy of the inferior casts suffer the political power of the state to become the exclusive patrimony of the whites? On what foundation shall we raise the new political structures that are to adorn America? If property is made the sole basis of political power, how will the subordinate casts be reconciled to a system which will leave them naked and unprotected, at the mercy of their old task-masters and oppressors? If population is preferred, and mere numbers regulate the government, what security against the gross ignorance and blind fury of an uneducated multitude, invested with the whole political power of the state? So far from wishing to see America totally independent of the mother country, we are convinced that nothing is so essential to her welfare, as an authority respected by her inhabitants, because it does not emanate directly from themselves.

"The dangers of discord and division arising from the mixed population of America, are greatly aggravated by the discussions in which the revolutionists have imprudently indulged, in support and vindication of their independence. Will it be believed that among the charges against the mother country

\* See the speech of Quintana, and the proposition of Arguelles, on the representation of the colonies in the cortes.

by Caraccas, her advocates have urged the excesses committed by the Weltzers in the sixteenth century? If such old accounts are still open, what a reckoning have the cortes to settle with the posterity of Atahualpa and Guatimozin? The revolutionists justify their resistance to the mother country by appealing to the natural right of freemen to choose their government. We shall not enter into a discussion with them about the limits or application of that principle, but merely ask them, whether, after insisting on such arguments, they mean to accommodate their practice to their theory. If they should have recourse to artifice or chicanery for the purpose of excluding their sable or copper-coloured brethren from an equal participation of political power, do they suppose, that, fresh from these lessons of natural right, the degraded casts will submit quietly to the disfranchisement? And superior as these are in numerical population, if admitted to a political equality with the whites, will they not in effect be their masters? That the practice and theory of the revolutionists may be found at variance, when they come to settle their government, is a supposition not altogether gratuitous but probable from many parts of their conduct. Principles urged with the greatest confidence against the mother country appear to them to have lost their virtue, when directed against themselves. The first junta of Buenos Ayres exclaimed against the regency of Cadiz as an illegitimate and usurped authority, but endeavoured by trick and delay to prolong its own dominion over the distant towns of Rio Plata. If the principles of natural right make it

lawful for the people of Caraccas to separate from Spain, why have not the people of Valencia an equal right to separate from Caraccas? What right has Caraccas to form a constitution for herself that does not equally belong to Coro and Maracaybo? Such however is the inconsistency of human conduct, that the leaders of Caraccas who plead their natural rights against Spain, have punished the Valencians as rebels, and are collecting and equipping armies to reduce Coro and Maracaybo to subscribe to their confederation.

“The eager friends of American independence will accuse us of partiality to the mother country in these remarks. We fear the politicians of Cadiz will be still more offended with us for the observations that are to follow.

“Anxiously then, as we desire that the connection between Spain and her American dominions should not be dissolved while Spain maintains her struggle for independence, we are so thoroughly convinced that America is entitled to a full and complete redress of her grievances, that if the mother country absolutely refuses to comply with her just petitions, we think the colonists ought to persevere in their insurrection, and obtain by force that redress for the past, and security for the future, which pride and avarice withhold from them. That independence will be the natural result of such a conflict, if successful on the part of the colonists, we too plainly see; and it is for that reason we entreat those who have authority in Spain, while it is yet time, to stop the progress of the war by just concessions to their subjects.

“These concessions, however, if they are meant to be a suitable offering

offering to America, must neither be few nor inconsiderable. In the first place, her government must be placed in such hands, that whatever may be the fate of Spain, the independence of America will be secure. The majority of persons in the service of the state, in the army, in the law, in the church, in the collection of revenue and other subordinate departments of government, must be native Americans, or Europeans long settled in the country, who have an interest in its safety and welfare equal to that of its native inhabitants. In the second place, the commerce of America must be free. The Americans must have a right to trade directly with all countries in amity with the crown of Spain, paying such duties as their own provincial assemblies, and not the cortes of Cadiz, shall impose. Protecting duties may be necessary in some parts of America for her own manufactures; but these will vary in their nature and amount, according to the circumstances of the different provinces, of which none can judge, so well as their local legislatures. It moves our indignation to hear the hypocritical lamentations of the merchants of Cadiz over the ruined manufactures of America. Compassion for whom, they would persuade us, is their chief reason for withholding freedom of trade from the colonies. We hardly dare ask ourselves, whether these are the same persons who used to procure orders from Madrid to root out the vines and burn the looms of America, lest they should interfere with the lucrative commerce of the mother country. In the third place, the malversations and corruptions of the courts of law, and the abuses and excesses of the executive branches

of administration, must be corrected and punished in America, by tribunals independent of the crown. In the fourth place, America must impose her own taxes: grant and appropriate her own revenue: receive an account of its expenditure from the servants of the crown: and increase or diminish its amount at the discretion of her representatives.

"To carry this system of conciliation into effect, there must be provincial legislatures in America, invested with the sole power of imposing taxes; and, with the consent of the crown, of making laws. These assemblies will be chosen by the people, but summoned by the king. Annual taxes and an annual meeting bill will secure their regular convocation. A representation founded on property will not exclude the inferior casts from political power and consideration, and yet leave, in fact, to the whites, where it can best be lodged, a preponderance in the legislature: while the authority and influence of the crown will secure to the Indians and mulattoes, a protection and defence against oppression. The visionary and impracticable scheme of representing America in the cortes of Spain must be abandoned, and with it all pretensions to legislative authority in the mother country over her colonies. The crown will in that case be the sole bond of political union between Spain and America, and in return for so many sacrifices from the mother country, America must consent, that, till the exercise of the royal authority shall be restored in the person of the monarch, the executive power established in the peninsula shall be recognized in the colonies. The connexion of Spain with America will be the same

same with that of Great Britain and Ireland before the union; supposing a law to have been passed in Ireland, as was once proposed that whoever was regent of Great Britain, should *ipso facto* be regent of Ireland. Such a connexion is perhaps not the most desirable form of government for either party: but, in the present circumstances of both, it is preferable to a complete separation and a civil war. Let the experiment be

tried in Mexico, Peru, and Geatoma, where the mother country still retains her authority, though it rests on slippery and precarious foundations. Let the same conditions be offered to the insurgent provinces: and if they refuse such reasonable terms of accommodation, let war be made upon them; but in the mean time, let Spain reserve her troops in Galicia for a different enemy."

## CHAPTER XX.

*United States of America—State of the Dispute between that Country and Great Britain—Remarks on the supposed rescinding of the Berlin and Milan Decrees—Affair of the President and Little Belt—France—Domestic History—Report of the Finance Minister—Remarks on it—The Cadastre or Land Tax—Origin of it—Advantages of it—Progress already made in admeasuring and valuing the Land—Russia and France—Russia and Turkey—Sweden.*

**T**HE Dispute between Great Britain and the United States of America has already continued nearly five years, and at this present moment, it appears as remote from being brought to a termination either by an adjustment of the differences which have given rise to it, or by its being changed into actual warfare, as it was soon after its commencement. Perhaps in these times of singular and momentous events, there is no transaction on which history will deign to fix as a topic worthy of its pages, so little interesting, as this dispute between Great Britain and America: we mean not to assert that to us at present it is not very important, since on its issue it depends, whether we shall again partake of the advantages of American commerce, or add another to our enemies: but certainly from the very prolix and

tideous mode, in which the dispute has been carried on, from the great lack of diplomatic talent which each party has displayed during its progress, it will not attract much notice from the historian, unless indeed it should be productive of positive hostility.

It is not that the points of dispute between Great Britain and the United States are unimportant either with respect to the principles on which they are respectively founded, or on the application or modification of those principles; for they undoubtedly involve some of the most important and momentous international laws: but in the most laboured and prolix discussions, which have been entered upon both by our ministers and those of the American States, the importance has been buried under a mass of words.

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There is indeed one point of dispute, which from the operation of unavoidable circumstances, must always exist in a greater or less degree: we mean that which arises from the difficulty in all cases, and the impossibility in not a few, of distinguishing American from British seamen. Perhaps when we reflect on our own commercial character, especially as it has existed since the license system was carried on, we have no right to accuse the Americans of making free with oaths; but certainly from every account a certificate of American citizenship is obtained in the United States with much less scruple and difficulty than it ought to be. While therefore the government of America does not distinguish and separate as effectually and decidedly as she can and ought to do, her own citizens from the citizens of Great Britain; while she connives at, or does not severely punish those of her people who give a certificate of citizenship where it is not due, she ought not to blame us for not respecting, since it is impossible that we can accurately distinguish such as have actually claims to citizenship.

On the other hand this cause of dispute might in some degree be removed by Great Britain: it may safely be affirmed of British seamen in general that they are not disposed to quit the service of their native country: that the temptation must be powerful which induces them to do it. In most instances where British seamen leave the service of their own country, and go over to the Americans, it may be regarded as the consequence of the low wages, and the little encouragement in other respects, which the British navy holds out to this class of men. If the wages of seamen on board

our ships of war were a little increased, and if the prize money which may become due to them were paid more regularly, with fewer deductions, and with less delay, the number of those who passed over to the American service would be much diminished.

Another cause of dispute between Great Britain and America arises from the operations of our orders in council: having already in some of our preceding volumes considered the causes which gave rise to these; the principles and pleas on which they are justified and defended; and the effects which they are calculated to produce, both on our own commerce, and on our relations with America, at considerable length, we shall here only notice what has occurred respecting them during the year 1811.

By the decree of Trianon, Bonaparte declared the Berlin and Milan decrees to be rescinded, "it being understood that Great Britain revoked her orders in council." On the ground of this decree, the government of the United States called upon our government to withdraw the orders in council. Our government hesitated at first, because they did not consider the mere declaration or decree of Bonaparte that these decrees were revoked, as sufficient to prove, that they would no longer be acted upon; and afterwards because Bonaparte, as officially and publicly as by the decree of Trianon, declared that the Berlin and Milan decrees formed a fundamental part of the code of the French empire, or at least would not be rescinded until Great Britain had rescinded her orders in council. To these arguments the Americans replied, that no instance had occurred, since the decree of Trianon, in which

which such American vessels had been seized as would have been seized if the Berlin and Milan decrees had been in force: that undoubtedly American vessels had been captured by French cruizers, and detained in French ports; but that in all these instances they had either been set at liberty again, or the seizure had taken place because the vessels in question had contravened some of the French municipal regulations, not because the Berlin and Milan decrees were applied to them. With respect to the official declaration which was set up against the decree of France, the Americans contended, that it referred to the other states, and not to America: and that as France had not only declared the obnoxious decrees to be repealed, but had ceased to act upon them, the government of the United States were perfectly justified in interdicting the importation of British goods. As each of the belligerents had solemnly declared, that its edicts were dependent on those of the other for their existence, the government of America, in order to induce one or the other to rescind, and to put the truth of this assertion to the test, passed the law of the 1st of May 1810, by which it declared, that her ports would be open to that power which should rescind the objectionable measures, while they should continue shut to the ships and commerce of that power which continued to persevere in them. France, the government of the United States contended, had rescinded the Berlin and Milan decrees: whether she continued them with regard to other states, or whether she continued her other anti-commercial measures, America had no interest or obligation to inquire: that was

1811.

done by France, upon the doing of which, by either belligerent, America had declared she would adopt certain measures: both, therefore, from interest and justice, America was induced to open her ports to France, and to shut them against Britain.

The reply of the British diplomatists to this train of argument, in some respects was appropriate and forcible, in other respects irrelevant and weak. They took it for granted, that a great object with Bonaparte was to embroil Great Britain with America: that for this purpose he had declared the Berlin and Milan decrees to be revoked; and had, in a few instances, commanded that they should not be acted upon; hoping thus either to lead Britain to rescind her orders in council, or, if she still continued them in force, that a war would ensue between her and America. Bonaparte's conduct in every thing relatively to commerce or Great Britain is so vacillating and headstrong,—not because he shifts or forgets his object, (for whether he acts coolly or passionately, the destruction of Britain by the destruction of commerce is his favourite aim,) but because of the nature and excessive vitality of commerce to which he is an entire stranger,—that he cannot for any length of time abstain from passing decrees on the subject. But we need hardly have recourse to this mode of viewing the subject: the very wording of the decree of Trianon proves, that he left himself a loop-hole out of which he might escape, if caprice or circumstances led him to repent that he had passed it. In this decree he declares the Berlin and Milan decrees repealed, *it being understood that Great Britain rescinds her orders in council.* Certainly, if these words

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mean any thing, they mean that the repeal was not to take place if Great Britain persevered in acting on her orders in council.

With regard to the alleged instances in which, according to the British diplomatists, Bonaparte, since the decree of Trianon, has seized on American vessels; it is extremely difficult on many accounts to ascertain whether these seizures have taken place, and, if they have, whether they are cases in point. In the first place, our knowledge of them must of course be principally, if not entirely, derived from the American newspapers; and the spirit of party runs so high and so violent among them, that much reliance cannot be placed on their statements, if by them party purposes can be served: and as the great object of the two parties in America is to vilify either Great Britain or France, it is evident that statements will be made or modified so as to answer the purposes of partiality and party. In the second place, American vessels may be seized either by French cruizers or in French ports, as the American diplomatists observe, for other reasons besides the Berlin and Milan decrees. Of the truth of this there can be no doubt; but, on the other hand, the release of several vessels, which according to every account had been seized, after the decree of Trianon, is no proof that that decree was acted upon and made manifest in their release, since a want of evidence that they had contravened the Berlin and Milan decrees might equally have procured it. By these decrees, only such vessels were liable to be taken or seized by the French, as had either permitted themselves, during their passage, to be boarded and searched by British cruizers, or

had entered a British port. Now the evidence of both these facts is from their very nature difficult to be obtained; and it must have happened, even when the Berlin and Milan decrees were in their full and acknowledged operation, that no small proportion of the American vessels seized or detained for having contravened them would be liberated from a want of evidence.

Such is a brief statement of the dispute between Great Britain and America, so far as it rests upon the British orders in council, and the French decrees of Berlin and Milan. It is extremely difficult to anticipate or conjecture what will be the termination or the result of this branch of the dispute. America occasionally assumes a bold and determined tone: and in the message of the president to congress, delivered on the 5th of November 1811, war with this country is talked of more plainly, and represented as being more probable, than it ever was before. We still however are of opinion; notwithstanding the strange and unseemly partiality which the government of America manifests towards France; notwithstanding the inveteracy in which it indulges against this country; and notwithstanding the arts of Bonaparte are constantly at work to make the difference between us and the United States more wide and deadly, that the Americans will not go to war. In America the voice of the people speaks loudly, and must be obeyed by the government; and though a great portion of her people in the United States hate Great Britain, they fear her still more, and are still more attached to their own interests: and the conjunct operation of this fear, and of a regard to their own interests, will, we believe, confine their

their hatred of this country to abuse, and threatening and hostile language.

A circumstance occurred this year which seemed calculated to produce an immediate rupture between the two countries. The *President*, one of the largest class of American frigates, and the *Little Belt*, a vessel inferior in force to most of the British frigates, met and engaged: the American captain asserts that the first shot was fired from the *Little Belt*: the captain and crew of the latter maintain as strenuously that the first shot was fired from the American frigate. To prove that the assertion of the American captain is correct, he was regularly and formally brought to trial: to strengthen the truth of the deposition of the British captain, his instructions were published, in which he is expressly ordered carefully to abstain from any improper or hostile conduct towards the Americans. It is, however, singular, that while our government published the instructions of the British captain, they did not bring him to a court-martial; and while the American government brought the captain of the *President* to a court-martial, they did not publish his instructions.

It appears to us needless to enter into a consideration of all the probabilities for and against the conclusion, that the first shot was fired by the American captain: had this affair seemed likely materially to widen the difference between Great Britain and America, or essentially to alter its nature, a discussion on this disputed point would have been imperiously called for. We may, however, remark, that the circumstance of the American government taking this affair so much more coolly than they did that of the *Chesapeake*, is rather a presumption

that they considered the blame to lie with their own officer. The engagement between the two vessels forms one, but a very inferior, object of discussion between our government and that of America: the orders in council constitute the most intricate and important: as for the difference respecting the affair of the *Chesapeake*, the American government have acceded to those very terms which were offered them, and rejected by them, soon after it happened.

Of the domestic history and internal situation of France we can know little or nothing, except what Bonaparte thinks proper to communicate through the medium of his addresses to the senate, or of their replies: and it is one of the most degrading effects of despotism, that where it is known to exert its influence over the language of men, and over the freedom of the press, no confidence can be reposed in their statements. Of the public documents of the French empire the most curious and important is the report of M. Mollerus to the legislative body, and the subsequent report of M. Regnaud de St. Jean d'Angely to Bonaparte: the former, indeed, is a prefatory introduction to the latter: the subject of both is the finances of France. To this subject we shall confine our attention, since the other reports, delivered either to the legislative body or to Bonaparte, are meagre and uninteresting: they are now happily deprived of the principal topics on which Bonaparte delighted to dwell, the success of his arms, and the consequent extension of his power and dominions.

The report of M. Regnaud comprises a statement of the French finances from the year 1803 to the year 1812: he assures the emperor



that the services of the first four years of this period had either been discharged, or there were funds sufficient to discharge them. The ministers of the different departments had presented a statement of their actual respective expenses for 1810: the reporter allows that these expenses are considerable, and in part occasioned by the war in the peninsula: however, considerable as the expenses are, he does not think it will be necessary to take any portion of the reserve fund to discharge them. What he adds on this point shows that the accounts of the French finances are not made up so completely and accurately as this reporter would lead us to suppose: "We are still too near 1810 for me to think myself justified in proposing to your majesty to appropriate that reserve fund to the expenses of 1811: it may happen that the result of the definitive liquidations may somewhat exceed the latest calculations presented by the ministers, and I therefore think it proper to postpone this proposal till the next year." Now this report was presented on the 15th July 1811; and yet the reporter does not know the actual expenses of 1810, so exactly as to be able to pronounce whether it would be proper to transfer the reserve fund of 1810 to the service of 1811.

The same vacillation and drawing back appear in what is said respecting the expenses and the funds of the year 1811: the expenses of the first quarter of this year are still more considerable than those of 1810: nevertheless the total resources of 1811, after having discharged the extraordinary expenses of the first quarter, and satisfied all the demands of the different ministers for the first six

months, will leave a surplus fund of 22 millions: here we are assured there will be a reserve fund: yet the very next sentence informs us of the opinion of the reporter, that this fund will be necessary to pay all the expenses of the current service.

M. Regnaud, after some further details, proceeds to eulogize the state of the finances of the great empire; and in this eulogy mentions some circumstances which, if well founded, undoubtedly prove that the state of the French finances has improved. The treasury bills, which at the beginning of the ministry of M. Regnaud were at 4 per cent. discount per month, are now never seen in the market; and moneyed people would be glad to discount them at 4 per cent. per annum. The treasury pays all demands upon it to the very day; and does not, as formerly, require the assistance of intermediate credit. These are the effects, according to M. Regnaud, of the flourishing state of French agriculture and of her interior commerce, and of the mode in which the taxes are levied: the contributions are assessed in suitable proportions between the landlords and the consumers; and hence he infers (by what process of reasoning we must acknowledge we do not exactly perceive), that there is no uncertainty as to the produce of the public revenue.

The application of the surplus revenue of the French empire is next dwelt upon. In the year 1808 about 100 millions were expended for the ordinary repair of roads; for making new ones; for building new bridges; for navigation; for canals; for bringing the waters of the Ourcq to Paris; and for other works of ornament, utility, or necessity. In the year 1809, 110 millions

millions were expended for the same purposes; in 1810, 138 millions; and in 1811 it is proposed to expend 155 millions.

From the accounts laid before the legislative body, M. Regnaud says it will appear that the receipts for the year 1808 were 772 millions; for the year 1809, 786 millions; for the year 1810, above 795 millions; and that they will not fall short of 954 millions for the year 1811, "by means of the various annexations of territory which have taken place since last year."

In consequence of this flourishing state of the French finances, Bonaparte will be enabled to carry into execution a plan which was first proposed in the year 1796, but which had hitherto been unexecuted on account of the want of the necessary means: the object of this plan is to do away the money of account called the *livre tournois*, and to substitute a real coin of the fixed value of a *franc*, of a certain weight and fineness, which is to form the *unit* of the whole system of coinage: "thus the French coin will in future be the best that can be found in any part of the world." Let the state of France (adds M. Regnaud) in this respect be compared with that of England, where the government is reduced to the receiving of its revenues, and defraying its expenditure, in a paper money which loses already 33 per cent." He then, according to custom, proceeds to anticipate and emit in the ruin of England, produced by an adherence, on the part of France and her vassal states, to the continental system.

But the most important part of this report of M. Regnaud relates to the *cadastré*. "This is a survey by actual admeasurement of every parish, nay of every field in France,

for the purpose of ascertaining the exact proportion of land-tax which each land-owner or farmer is to pay. The land is afterwards valued by a kind of jury, taken from among the parishioners; and a plan of the parish, with a valuation of each field, is sent to the minister of finance. One copy of it is given to the head of the department, and another remains with the mayor of the parish."

It is well known, that the sect of the economists, who were very numerous in France just before the breaking out of the revolution, maintained as their characteristic and fundamental tenet, that all taxes, whether direct or indirect, personal or on property, however levied, ultimately fell on the land: this indeed resulted from a previous and more simple doctrine which they held,—that no labour was productive, except agricultural labour: they therefore recommended the abolition of all taxes, and that in their stead a tax should be imposed directly on landed property. Thus they contended the levying and collecting of taxes would be rendered more simple and easy, and much less expensive; while the taxes themselves would be paid exactly by the same class of people, and the same kind of labour, as they must always be paid by according to their principles.

Before, however, a tax could be laid on landed property, it was necessary that an admeasurement and valuation of it throughout the empire should take place: this was recommended at the very commencement of the revolution, but no attempt was made to carry it into effect till Bonaparte obtained the supreme authority. He certainly had no intention of adopting the ideas of the economists: but in many respects

respects a real admeasurement and valuation of the landed property in the French empire would be of service to him. In the first place, no tax on land can be levied fairly, and so as to bring in what it ought to do, except this admeasurement and valuation take place; so that, considering land not as the only source whence all taxes must be paid, but only as one source whence part of the revenue of the state may be derived, the *cadastre* is a most important and useful measure. In the second place, by this measure a clearer insight will be gained into the progressive improvement which may take place in agriculture, and the consequent progressive rise in the value of land. But it is most important, as enabling Bonaparte, with little or no trouble or delay, to impose whatever additional taxes he may think proper: "when in want of supplies, he will have only to calculate how much an additional *franc* on each acre will produce, and a decree will settle the business. Thus the *cadastre* will put every acre of land as completely at his disposal, as the laws of the conscription mark every man for his soldier." The *cadastre* is to be put in activity in the year 1813: at that period, according to M. Regnaud, the French system of taxation will extend to Holland. The following passage from his report will show the progress which has already been made in forming the *cadastre*.

"Since the beginning of the admeasurement by parcels, which was first adopted in the year 1808, the *cadastre* operation has proceeded in a regular way.

"On the 1st of April, 1811, the admeasurement was completed in 5,243 parishes; in the course of the current year it will be likewise completed in 2,000 more parishes; and

thus upwards of 7,000 parishes will be admeasured by the 1st of January 1812. This forms a little more than the seventh part of the territory of France.

"The valuation of the land is, of course, more behind-hand than the admeasurement, by which it must necessarily be preceded. The number of parishes in which the lands had been valued on the 1st of April 1811, was 3,145: that measure will take place in 1700 or 1800 more, in the course of the present year; and thus, by the 1st of January 1812, the lands of about 5000 parishes will have been valued.

"One hundred and twenty assemblies of *cantons* had been held in the beginning of 1811. They had proceeded to examine and to discuss the valuation of lands in the several parishes of their respective districts. The minutes (*procès verbaux*) of those assemblies contain, generally, expressions of satisfaction, and of the most respectful gratitude towards your majesty, to whose parental care they are thus indebted for the signal advantages which are to result from that measure.

"Those 120 cantons include nearly 1,400 parishes, in which the land-tax for 1812 shall be assessed according to their *cadastre*-rolls. This will do away the disproportion in the assessment which formerly existed between different parishes, and between the inhabitants of the same parish. Formerly the proportion of assessment varied between them, from one half of the income to one tenth, one twentieth, and one fiftieth. Uniformity will thus be introduced in all the assessments.

"For these three years the land-tax has been already assessed in 2,400 parishes, according to the *cadastre*-rolls, formed on valuations made on general surveys, and which have

have remedied in part those imperfections which the admeasurement by parcels removes more completely; and thus nearly 4,000 *cadastre*-rolls will be put in activity for the year 1812. The number would have been more considerable, if experience had not proved that it was fit to await the result of the assemblies of *cantons* to settle the rolls definitively; and this consideration delays the execution of the measure, in a great many parishes which form part of *cantons* in which there are still some parishes where the admeasurement is not yet completed.

"The present state of this undertaking, and the labours which will be completed in the course of 1811, will enable me to propose, next year, to your majesty, the first application of the ultimate results expected from the *cadastre*-operation, as affecting the general assessment of the land-tax, to a zone composed of a fraction of each department of the empire. The only thing to be done will be to compare the amount of incomes, as ascertained by the *cadastre*, in the parishes forming part of the zone, with the total amount of the present assessments of those same parishes; and to establish a proportion between those incomes and the assessments; which proportion must naturally fix the part of his income which each land-owner shall have to set apart for the payment of the land-tax in the year 1813; and that proportion shall be the same for all.

"Uniformity in the assessments will be thus partially established, between departments, between parishes, and between land-owners, and as completely for that *fraction of the empire* as it will be for the *whole* when the measure shall have reached its last stage."

The domestic history of France

in other respects may be told in a few words: the legislators of the empire (if the term is not misapplied when given to them) degraded themselves by waiting with a congratulatory address on the puling king of Rome. The emperor himself gave rise to much speculation and conjecture by a long journey he took to the northern departments, and especially to the naval arsenals of Antwerp; but he completed his journey, and returned without any apparent object or plan having been executed sufficient in importance to account for his having undertaken it. Indeed it is worthy of remark, that since his marriage, he has either deserted his restless and ambitious projects, (with the exception of his attempts on Spain,) or he takes much longer time in preparing for their execution. Rumours of war between France and Russia have arisen and been dissipated frequently in the course of the year 1811: it is by no means improbable that when Bonaparte thinks it a convenient season he will go to war with Russia; and certainly the emperor Alexander, by his foolish perseverance in the war with the Turks, is preparing the way for the easy and full accomplishment of Bonaparte's schemes against him. Of this war between Turkey and Russia we know little; and what we know is not calculated, in the present state of Europe and of men's minds, to excite much interest: for a long time the Turks opposed the Russians with more than their usual steadiness and success: latterly, however, they have suffered very severe defeats; which at first seemed to incline them to peace; but whether the terms on which Russia insisted were too unfavourable, or that Bonaparte is secretly urging on the Turks, no peace has hitherto been concluded.

The

The conduct of the crown prince of Sweden, both towards us and towards France, continues to be very singular and unaccountable; were we to judge by it, we should be apt to conclude that he was at peace with us and at war with France; but it is to be apprehended that policy alone dictates the line he has pursued: he could not expect to be of much service to his master Bonaparte, unless he had previously both recruited the exhausted state of

Sweden, and gained some hold on the affection of the Swedes: and Bonaparte, notwithstanding the impetuosity of his disposition, and his hatred against all who favour this country, would probably permit Bernadotte to act so, as to recruit Sweden, and ingratiate himself with the Swedes, in order that his co-operation afterwards, either in a war with Russia, or in hostile measures against this country, might be more effectual.

**PRINCIPAL  
OCCURRENCES**

**In the Year 1811.**

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# PRINCIPAL OCCURRENCES

In the Year 1811.

## JANUARY.

An intercepted letter, dated Corbiel, Dec. 17, transmitted from Portugal, has the following curious assertions.

1. **I**T appears that general Junot, jealous of the general command given to Massena in Portugal, produced a failure in one operation by not obeying his orders, and effecting a junction necessary to the success of the operation. Massena therefore deprived Junot of his command, arrested him, and sent him to Paris; the emperor confirmed this measure, and the general, it is said, will be shot.

2. Prince Ferdinand is to marry the sister of our empress, and to ascend the throne of Spain; reserving Catalonia and Biscay for France, the former of which belonged to France under Louis XIV.

3. King Joseph returns to Naples.

4. The king of Naples is to be king of Poland; and in order to form that kingdom, the emperor of Russia has been asked for his part of the old partition of Poland—Austria cedes her part voluntarily.

5. Prince Berthier is to be king of Prussia; and hence it is not necessary to ask Prussia for her part of Poland.

6. Massena is to be king of Portugal, and must conquer his kingdom by the aid of the French and Spaniards, who will be united under

the same colours; it will be the same with the kingdom of Poland and Prussia—the new king must go and conquer them from Russia and Prussia. It is probable that our force, and the forces of Germany, and all the Rhenish confederacy, will be united for the grand operation.

Such is the news of the day, which is derived from good sources.

4. The trial of Alexander Cahill, surgeon of the 2d battalion of the 25th regiment of foot, charged with the murder of captain Hugh Blair Rutherford, of the same regiment, came on a few days since, at Edinburgh, before the high court of judicary. It then appeared, that in consequence of a dispute which had taken place, relative to taking newspapers out of the mess-room, captain Rutherford sent a challenge to Mr. Cahill. The parties met, and after the first fire, by signal, without effect, captain R.'s second proposed to Mr. C. to apologize, which he declined; but added, he would quit his ground and shake hands with the captain—this was rejected. They fired again, and captain Rutherford was wounded. He, however, called out to load again; which being told Mr. Cahill, he said he would receive the captain's fire, but not return it. Captain Rutherford then fell, and was conveyed to the barracks, where he shortly after expired. Mr. Cahill made his escape;



but afterwards voluntarily surrendered himself to take his trial. Several witnesses gave him an excellent character, and represented him as a quiet inoffensive man. The jury returned a verdict of Not Guilty, with the exception of two dissentient voices.

*Margate, Jan. 8.*

The tempestuous weather of the last week has occasioned great loss among the shipping upon this coast. A gun-brig was driven on shore off Deal. The Goodwin Light disappeared from her moorings, and great fears are entertained for her safety. Our Margate boats on Thursday were busied in assisting a vessel from Ostend, in ballast, and conveyed her to Whitstable Bay in safety. On Friday a large American ship from Valentia, with wool and fruit, under quarantine, was run on shore in Westgate Bay. The cargo is unloading, and it is hoped the vessel may be got off. Part of the wreck of a vessel, supposed from Norway, as several casks of the *Lichen Islandicus*, or Iceland moss, and a great deal of stock fish have been picked up in Laming's Bay. The oldest inhabitant scarcely remembers a time in which the mischiefs occasioned by the high winds have upon the coast been so many and distressing.

11. Antonio Cardoza (a Portuguese), Mary Rogers, and Sarah Browne, were indicted at the Old Bailey sessions for the wilful murder of J. Davis, a waterman, by giving him several stabs in the back with a knife. The two latter were disreputable females; and having quarrelled in the street with the deceased, called upon Cardoza, who was known to them, to espouse their quarrel, which he immediately did by stabbing the deceased. The learned judge stated a distinction to exist between the cases of Cardoza

and Sarah Browne. There was a quarrel and heat of blood between her and the deceased, but none between him and Cardoza. Cardoza was found Guilty of murder, Sarah Browne of Manslaughter, and Mary Rogers acquitted.—Cardoza was executed on Monday the 14th, opposite Newgate. He persisted to the last in asserting his innocence. Previous to his being brought from the Press-yard he cried bitterly; but on mounting the scaffold he acted with becoming fortitude. After being suspended the usual time, the body was conveyed to St. Bartholomew's hospital for dissection. [See British and Foreign History.]

#### THE PRINCE OF WALES.

11. At two o'clock precisely, the deputation from the two houses went up to Carlton House to present to his royal highness the resolutions to which the two houses, after long discussion, had agreed. The lords and gentlemen, all in full dress, were ushered through the superb suite of rooms to the drawing-room, where his royal highness stood; his chancellor, William Adam, esq. and earl Moira on his right hand; the duke of Cumberland and Mr. Sheridan on his left; behind him four officers of his household, Mr. Tyrwhitt, colonel Macmahon, colonel Bloomfield, and general Turner. The deputation advanced according to their order of precedence: the lord president, the lord privy seal, the chancellor of the exchequer, Mr. secretary Ryder, the president of the board of control, and the master of the rolls; and they made the usual reverences.

The lord president then read from a paper in his hand—

That they were a committee appointed to attend his royal highness with the resolutions which had been agreed

agreed to by the lords and commons, for the purpose of supplying the defect of the personal exercise of the royal authority during his majesty's illness, by empowering his royal highness to exercise that authority in the name and on the behalf of his majesty, subject to such limitations and restrictions as shall be provided.

And that they were directed to express the hope which the lords spiritual and temporal and commons entertain, that his royal highness, from his regard to the interests of his majesty, will be ready to undertake the weighty and important trust proposed to be invested in his royal highness, so soon as an act of parliament shall have been passed for carrying the said resolutions into effect.

The lord president then read and delivered to his royal highness the resolutions.

To which address his royal highness returned the following most gracious answer :—

“ My lords and gentlemen,

“ I receive the communication which the two houses have directed you to make to me, of their joint resolutions on the subject of providing for ‘the exercise of the royal authority during his majesty’s illness,’ with those sentiments of regard which I must ever entertain for the united desires of the two houses.

“ With the same sentiments I received the expressed ‘hopes of the lords and commons, that from my regard for the interests of his majesty and the nation, I should be ready to undertake the weighty and important trust proposed to be involved in me,’ under the restrictions and limitations stated in those resolutions.

“ Conscious that every feeling of my heart would have prompted me,

from dutiful affection to my beloved father and sovereign, to have shown all the reverential delicacy towards him inculcated in those resolutions, I cannot refrain from expressing my regret that I should not have been allowed the opportunity of manifesting to his afflicted and loyal subjects that such would have been my conduct.

“ Deeply impressed, however, with the necessity of tranquillizing the public mind, and determined to submit to every personal sacrifice consistent with the regard I owe to the security of my father’s crown, and the equal regard I owe to the welfare of his people, I do not hesitate to accept the office and situation proposed to me, restricted as they are, still retaining every opinion expressed by me upon a former and similar distressing occasion.

“ In undertaking the trust proposed to me, I am well aware of the difficulties of the situation in which I shall be placed ; but I shall rely with confidence upon the constitutional advice of an enlightened parliament, and the zealous support of a generous and loyal people. I will use all the means left to me to merit both.

“ My lords and gentlemen,

“ You will communicate this my answer to the two houses, accompanied by my most fervent wishes and prayers, that the divine will may extricate us and the nation from the grievous embarrassments of our present condition, by the speedy restoration of his majesty’s health.”

This answer was delivered by the prince with that most graceful and dignified deportment which so peculiarly distinguish his royal highness.

Answer of the queen to the deputation from the two houses, appointed

pointed to wait on her majesty at Windsor.

"My lords and gentlemen,

"That sense of duty and gratitude to the king, and of obligation to his country, which induced me in the year 1789 readily to promise my most earnest attention to the anxious and momentous trust at that time intended to be reposed in me by parliament, is strengthened, if possible, by the uninterrupted enjoyment of those blessings which I have continued to experience under the protection of his majesty since that period: and I should be wanting to all my duties if I hesitated to accept the sacred trust which is now offered to me.

"The assistance in point of counsel and advice, which the wisdom of parliament proposes to provide for me, will make me undertake the charge with greater hopes that I may be able satisfactorily to fulfil the important duties which it must impose upon me.

"Of the nature and importance of that charge, I cannot but be duly sensible, myself, as it does, every thing which is valuable to myself, as well as the highest interests of a people endeared to me by so many ties and considerations, but by going so strongly as by their steady, loyal, and affectionate attachment to the best of kings."

13. A poor idiot, known by the name of Hawkey, and who has been for some years the sport of the boys, and the amusement of the hackney-coachmen in Piccadilly and St. James's-street, who generally wore a soldier's dress, with cross-belts, cartridge box, &c. was frozen to death a few nights since at Pimlico.

In the early part of Sunday a man fell through the ice, in the Serpentine River, and was drowned.

On Friday J. Salmon was charged at the Mansion-house with stealing a parcel from the Norwich coach, containing 1,160*l.* the property of Mr. Bryant, banker of Newmarket. Mr. B. stated, that the parcel was put into the Norwich coach, as a common parcel; and although he was in the coach himself, thinking the contents were not known, he took no particular notice of it; but when the coach arrived at the White Horse, Fetterlane, it was discovered that the parcel had been cut open, and the notes and bills taken out, and common paper substituted in their stead. Mr. B. said there was a male passenger in the coach, who was muffled up, and would not go out when the coach stopped at the different places, pretending to be unwell; but from circumstances he thinks the prisoner is the man, and begged that the further examination should be put off for a week, when he would bring further proof from the country. The prisoner was detected in offering one of the notes for change at Stevenson's and Co.'s, bankers, in Lombard-street, and three others were found in his possession. The prisoner said he was a bricklayer, and begged the gentlemen would have mercy on him for the sake of his family. A solicitor attended for the prisoner, who desired him to say nothing. He was committed for further examination.

*Margate, Jan. 22.*

Yesterday evening about eight o'clock the brig Elizabeth, a Plymouth trader, loaded with bale goods for that port, lying in Ramsgate harbour, was discovered to be on fire: providentially the tide was up, and the crews of the several vessels around were enabled to remove her to a sufficient distance to insure their own safety. The two engines

engines immediately attended; but although every possible assistance was afforded with the utmost promptitude, the greatest part of the cargo and the vessel were destroyed. The cause of this unfortunate accident is not certainly known, but it is supposed to have arisen from some hemp (a part of her cargo) having heated. A quantity of gunpowder on board was by the activity of the crew removed from the cabin, and conveyed on shore, previous to the destruction of the brig, which was burning rapidly next morning.

27. At 12 o'clock the prince of Wales, accompanied by the earl of Moira, lords Dundas and Keith, arrived at the Chapel Royal, St. James's; when the service of the day began, which was read with great solemnity by the rev. Mr. Fridden, and the Litany by the rev. Mr. Hayes. On the bishop of London (the dean of the chapel) and the rev. Mr. Holmes (the sub-dean) entering the altar, to read the Communion-service, they turned to the royal closet, and made their obeisance to the prince, as is customary when the king is present. A sermon was preached by the rev. Mr. Maddy, from Acts iv. 12; after which the anthem of "God is our hope and strength" was sung; and at a quarter past two o'clock his royal highness descended from the closet, and, followed by the three above noble lords, went up the aisle of the chapel, and took his seat under a canopy, and the lords on the opposite side of the altar; when the sub-dean presented to the prince a gold dish, and his royal highness put in his offering, and afterwards the same was presented to the lords attending him. The dean, after taking the sacrament himself, administered it to his royal highness and to the three noble lords, and

Mr. Maddy, who had preached. On his royal highness leaving the chapel, he was received with military honours.

COURT OF REQUESTS. Jan. 29.

Brown v. Smidtz.

*Chemical process—London milk.*

The plaintiff in this case, a vender of milk, sought to recover from the defendant, a professor of chemistry, 1*l.* 16*s.* the amount of a milk score. The defendant offered to pay one-half of the sum demanded, into court, but refused to pay any more, on the following grounds:—

He said, that having remarked the fluid purchased of the plaintiff for some time past had assumed more of the *sky-blue* than of the *milk-white* in its hue, and that it was much *thinner* than that nutritious aliment called milk ought to be, he therefore felt an inclination to *analyse* a quantity of it, by way of experiment: he accordingly took a pint of it, smoking from the plaintiff's pail, and retired with it to his laboratory, where, by the result of a nice chemical process, he ascertained to the greatest accuracy that five-eighths of the fluid he had received was simple water, one-eighth chalk, and two eighths pure milk. He thought, therefore, in offering to pay the plaintiff half his demand, he satisfied all the justice of the case.

The commissioners inquired of the defendant, 1*st.* If he could prove that the plaintiff himself had diluted the milk to that extent, or that he was aware such a quantity of water had been put into it? and 2*dlly.* Whether the plaintiff's milk was worse in quality than the milk usually sold in this metropolis, at the same price?

The defendant said, he was not prepared to prove either of those points.

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The plaintiff offered to swear he had only diluted the milk with one third water, which he said he was authorized to do by a certain act of parliament, and, on his conscience, he believed that his milk was *richer* than that sold by nine out of ten of his fellow-milksellers. Under these circumstances, the court ordered the defendant to pay the full amount of the plaintiff's demand, together with full costs of suit.

## FEBRUARY.

### PROCLAMATION OF THE SPANISH CORTES.

Know that in the cortes general and extraordinary, assembled in the royal Isle of Leon, it has been resolved and decreed as follows:—

The cortes general and extraordinary, in conformity with their decree of the 24th of December of last year, in which they declare null and void the renunciations made at Bayonne by the legitimate king of Spain and the Indies, sir D. Fernando VII. not only from his want of liberty, but from want of the essential and indispensable circumstance, the consent of the nation, declare that they will not acknowledge, but will hold for null and of no effect, every act, treaty, convention or transaction, of whatsoever kind or nature they may have been, authorized by the king while he remains in the state of oppression and deprivation of liberty in which he now is, whether in the country of the enemy or within Spain, while his royal person is surrounded by the arms, and under direct or indirect influence of the usurper of his crown; as the nation will never consider him as free, nor render him obedience, until it shall see him in the midst of his faithful subjects, and in the bosom of the national con-

gress which now exists, or hereafter may exist, in the government formed by the cortes. They declare, at the same time, that every contravention of this decree shall be considered by the nation an act hostile to the country, and the offender shall be amenable to all the rigour of the laws. And, finally, the cortes declare, that the generous nation whom they represent will never lay down its arms, nor listen to any proposition for accommodation, of whatever kind it may be, which shall not be preceded by the total evacuation of Spain by the troops which so unjustly have invaded them; since the cortes, as well as the whole nation, are resolved to fight incessantly till they have secured the holy religion of their ancestors, the liberty of their beloved monarch, and the absolute independence and integrity of the monarchy. The council of regency, that this may be known and punctually observed throughout the whole extent of the Spanish dominions, shall cause this to be printed, published, and circulated.

ALONZO CANEDO, president.

J. MARTINES, }  
J. AZNARZE, } secretaries.

*Isle of Léon, Feb. 1, 1811.*

### GERMANY.

The phenomenon of a thunder-storm on Christmas-day was not confined to this country, but was experienced at several places in Germany, and followed by so dreadful a gale of wind, that at Frankfurt, Nersheim, &c. many churches and houses were blown down, and the heavy laden waggons on the public roads overturned.

*Banks of the Maine.*

The states which compose the confederation of the Rhine contain 5,708 square leagues, with a population

lation of 14,935,265 souls: The contingent to be furnished by the kings, grand dukes, dukes, and princes (in all 39), is 118,682 men.

*Cassel, Feb. 2.*

The Jews now enjoy all the civil rights which the liberality of the emperor Napoleon has granted them in France. They form part of the national guard which has been established here: the guard of the king contains many officers of that nation: in the regiments which have been sent to Spain are many Jews, who are distinguished by their bravery, and who have been promoted in recompense for their services. The artists and mechanics in this city take Israelitish apprentices, and the merchants of that nation are now permitted to buy houses and estates. The number of Jews in the kingdom of Westphalia (including the country of Hanover) is reckoned at 18,000; they have a well-organized consistory, and many charitable institutions for educating poor children. M. Jacobson is president of the consistory.

Feb. 2. By communications from Copenhagen of the 12th ult. has been received a copy of a Danish decree.

1. All Swedish vessels, detained on account of the bill of sale not being on board, shall be released without further process.—2. Every Swedish vessel, detained merely because her destination was an English port, but which is furnished with documents from the Swedish government, as well as Swedish vessels now returning from England, laden with salt, or which are returning in ballast, shall neither be detained nor condemned.—3. Swedish vessels, which sailed for England before the declaration of war was known at the Swedish port from whence the vessel was dispatched,

cannot be detained, much less condemned.—4. A Swedish vessel cannot be condemned merely for having used an English license.—5. Swedish vessels, suspected of having availed themselves of English convoys, cannot be condemned without proofs the most incontestable.

#### THE ELIZABETH EAST INDIAMAN.

The few survivors of the wreck of this vessel, consisting of 22 persons, (six Europeans and 16 Lascars,) out of 390, are arrived in England. They were conducted to prison on their landing at Dunkirk, but were instantly, as far as possible, supplied with dry clothes and every comfort by the gaoler and his wife. The Europeans were also permitted, on various occasions, to leave the prison, on security given for their return by such of the humane inhabitants as invited them to dine and spend the day with them; which was frequently the case. Indeed, the conduct of all the inhabitants of Dunkirk was generous and humane in the extreme, and it is spoken of in the highest terms of praise by those who were saved from the wreck. They were liberated on the application of captain Eastwick, backed by the commandant of Dunkirk, and the French emperor has released them unconditionally, in consequence, as he says, of their previous sufferings.

A quantity of bale goods, glass, and other wares, belonging to the Elizabeth, was driven on shore from the wreck; and the French government, faithful to its burning system, caused a pile of them to be made before the door of the gaol, where they were consumed.

Yesterday week, (the day before the release of the British prisoners,) a most gallant affair was witnessed  
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in the roads of Dunkirk. A British brig of war, dashing in close to the pier and under the French batteries, cut out from thence a French transport laden with naval stores, bound from Boulogne to Flushing. The enterprise was executed with so much skill and rapidity, that the prize was gone before the batteries could be brought to bear upon the brig with effect.

3. A melancholy circumstance has happened within these few days at Newark, which is the subject of much conversation and inquiry. The following particulars, we believe, may be relied on:—On Friday, the 17th instant, the passengers by the Highflyer coach dined as usual. A bottle of wine was ordered; on tasting which, a gentleman, one of the passengers, observed that it had an unpleasant flavour, and begged that it might be changed. In compliance with this wish the waiter took away the bottle; but thought he had met with one of those travellers who are more nice than wise, and whom nothing can please at an inn; he therefore poured into a fresh decanter half the wine which had been objected to, and added sufficient from another bottle to make up the equal quantity. This he took into the room, and the greatest part of it was drunk by the passengers. But when the coach proceeded on to Grantley, the passengers who had partaken of the wine experienced a loathing and disagreeable sickness, which with one gentleman in particular, who had taken more of the wine than the others, increased to an alarming degree. They have, however, since recovered. The more melancholy part of the story remains to be told. The half of the bottle of wine which the waiter kept in the decanter, was put aside for the pur-

pose of mixing negus. In the evening Mr. Bland, an attorney of Newark, and a man much respected, went into the same house, and drank a glass or two of wine and water. He returned home at his usual hour and went to bed, but was taken so ill in the night that Mrs. Bland sent for his brother, an apothecary in the town. Before he arrived, however, the sufferer was dead. An inquest was held on the body, and the jury, we understand, after the fullest inquiry, and the strictest examinations of the surgeons by whom the body was opened, returned a verdict of—*Died by poison.*

#### CRIMINAL INFORMATION.

Mr. Garrow moved for a rule to show cause why a criminal information should not be filed against 12 or 14 persons whom he and Mr. Gurney, who was along with him, had selected from among a much greater number of offenders, amounting in all from 1,000 to 2,000, for a conspiracy and riot the most outrageous and disgraceful that had ever come under the cognizance of that court. The question in fact was this, whether a body of Protestant dissenters in the county of Suffolk should ever again meet for the celebration of public worship; or, if they must be held in future as outlaws? The facts were these. A part of a cottage near Wycomb Market had been taken by a body of Protestant dissenters, for the performance of public worship in their manner, which had been duly licensed as a legal place of worship, and the clergyman appointed to preach there had also been duly licensed. This Protestant dissenting meeting was advertised to commence on the 9th of September; and from that day till the 2d of December,

ember,—when the meeting was finally stopped, by the person who had let the two under rooms of the house or cottage to these dissenters being driven out, and the house itself almost pulled to the ground,—the most shocking and disgraceful outrages, insults, and noises of every kind, proceeding even to indignities and to acts of violence, were offered to the officiating minister. Frequently while among the congregation, persons were seen in masquerade dresses, making ridiculous faces and putting on airs of mock devotion; without, was the sound of a gong, of drums, trumpets, &c. At times, there was a waggon at the door of the place of meeting; in which was a person dressed in a suit of black, with gown, white wig, &c. distributing loaves of bread, at the disposal of each of which an immense clamour was made. At other times, fire-works were scattered up and down, and were even thrown into the church, and at the minister as he departed from it. Sometimes a gallows was erected in front of the church; and in general, the ministers and congregation were pelted with filth and with stinking sprats, in going to and returning from the place of meeting, with a variety of other indecencies, which it would be unnecessary to enlarge upon. These applied principally to six persons, named Churchyard, Gerrard, Hewett, Culpeck, Tuffing, and Close; as to whom the court granted a rule to show cause.

CEREMONIAL OF ADMINISTERING

#### THE OATH TO THE REGENT.

Feb. 5, being the day appointed for swearing in the prince of Wales, as regent, before his taking upon himself that important office, about twelve o'clock a party of the flank companies of the grenadiers, with their colours, the band of the 1st

regiment, drums and fifes, with white garters on, marched into the court-yard of Carlton House, where the colours were pitched in the centre of the grand entrance; the band struck up "God save the King," and continued playing that national piece alternately with martial airs during the day, till near five o'clock. Colonel Bloomfield, one of the prince's principal attendants, having written to the earl of Macclesfield, the captain of his majesty's yeomen of the guard, informing him it was his royal highness's command that as many of the yeomen of the guard should attend at Carlton House, as usually attend upon councils being held by the king in state. The noble earl not being in London, the letter was opened by the person in waiting, who ordered six yeomen and an usher to attend at Carlton House, which they accordingly did; and they, together with the prince's servants in state, lined the grand hall and stair-case: several of the life-guardsmen were also in some of the rooms, in a similar manner as on court-days at St. James's Palace. About a quarter before two o'clock, the duke of Montrose arrived, being the first of the privy counsellors who attended; he was followed by all the royal dukes, and a very numerous assemblage of privy counsellors, who had all arrived by a quarter before three o'clock. The whole of the magnificent suite of state apartments were opened, and the illustrious persons were ushered into the Gold room (so called from the style of the ornaments). Almost every privy counsellor now in town was present—and they were above a hundred in number.

About half-past two o'clock, earl Moira, of his royal highness's council, being also a privy counsellor,



sellor of the king, brought a message from the prince to the president of the council, earl Camden, desiring his attendance on the prince in an adjoining room, according to the usual form, to communicate to him officially the return to the summons, &c. The noble earl accordingly went with earl Moira, made the necessary intimation to his royal highness, and returned to the company; who during this time of waiting were highly gratified with seeing the princess Charlotte on horseback, accompanied by two grooms, make the tour of the beautiful gardens in the front of the Palace. His royal highness appeared to be in excellent health and spirits.

After earl Camden's return, the prince approached in grand procession, preceded by the officers of his own household, and several of his council, among whom were earl Moira, lords Keith, Cassilis, Hutchinson, Mr. Sheridan, Mr. M. Angelo Taylor, Mr. Tyrwhitt, colonel Macmahon, colonel Bloomfield, gen. Hulse, Mr. Bicknell, &c. &c. (His chancellor, Mr. Adam, was by accident not present, and there was a delay in consequence of his royal highness's anxious desire of his presence.) The prince was also accompanied by all the royal dukes. They passed through the room where the privy counsellors were assembled, through the circular drawing-room, into the grand saloon (a beautiful room in scarlet drapery, embellished with portraits of all the most distinguished admirals who have fought the battles that have given us the dominion of the seas); and here the prince seated himself at the top of the table, his royal brothers and cousin seating themselves on each hand according to seniority, and all the officers of his household, not privy

counsellors, ranging themselves on each side of the entrance to the saloon. The privy counsellors then proceeded, all in full dress, according to their rank—the archbishop of Canterbury, the lord chancellor, the archbishop of York, the lord president, the lord privy seal, &c. &c. and as they severally entered they made their reverence to the prince, who made a grateful return to each, and they successively took their places at the table; and lastly, Mr. Fawkener and sir Stephen Cottrell took their seats, as clerk and keeper of the records.

The prince then spoke to the following effect:—

“My lords,—I understand that by the act passed by the parliament, appointing me regent of the united kingdom, in the name and on behalf of his majesty, I am required to take certain oaths, and to make a declaration before your lordships, as prescribed by the said act. I am now ready to take these oaths, and to make the declaration prescribed.”

The lord privy seal then rose, made his reverence, approached the regent, and read from a parchment the oaths as follows.—The prince with an audible voice pronounced after him:—

“I do sincerely promise and swear  
“that I will be faithful, and  
“bear true allegiance to his ma-  
“jesty king George.

“So help me God.”

“I do solemnly promise and swear  
“that I will truly and faithfully  
“execute the office of regent of  
“the united kingdom of Great  
“Britain and Ireland, according  
“to an act of parliament passed  
“in the fifty-first year of the  
“reign of his majesty king  
“George the Third (entitled  
“‘An act, &c.’), and that I will  
“admi-

"administer, according to law,  
 "the power and authority vested  
 "in me by virtue of the said  
 "act; and that I will in all  
 "things to the utmost of my  
 "power and ability consult and  
 "maintain the safety, honour,  
 "and dignity of his majesty, and  
 "the welfare of his people.

"So help me God."

And the prince subscribed the two oaths. The lord president then presented to his royal highness the declaration mentioned in an act made in the 30th year of king Charles II. entitled "An act for the more effectual preserving the king's person and government by disabling Papists from sitting in either house of parliament," and which declaration his royal highness audibly made, repeated, and subscribed. The lord president signed first, and every one of the privy counsellors in succession signed these instruments as witnesses—and the same was delivered into the hand of the keeper of the records.

The prince then delivered to the president of the council a certificate of his having received the sacrament of the Lord's Supper at the Chapel Royal of St. James's, on Sunday the 27th ult. which was also countersigned and delivered to the keeper of the records, who deposited all these instruments in a box at the bottom of the table.

The lord president then approached the regent, bent the knee, and had the honour to kiss his hand. The royal dukes followed, and afterwards the archbishop of Canterbury, and all the rest according to the order in which they sat at the long table, advancing to the chair on both sides. During the whole of this ceremony, his royal highness maintained the most dignified and graceful deportment. And there was not the slightest indication of

partiality of behaviour to one set of men more than another.

The ceremony being closed, a short levee took place in the drawing-room, when his royal highness addressed himself to the circle; and afterwards he gave an audience to Mr. Percival, who had the honour of again kissing his hand as first lord of the treasury and chancellor of the exchequer.

The table was covered with crimson velvet, and there were several silver inkstands, which are said to have belonged to queen Anne.

The two very magnificent marble busts of the late duke of Bedford and Mr. Fox, whom every body remembers to have seen in the prince's sittingroom at Carlton House, were removed by order of his royal highness the prince regent into the Council-chamber, to be placed at the head of the room, a few hours previous to the assembling of the council.

#### CAPTURE OF THE ISLAND OF BANDA.

The following is an account of the surrender of the Island of Banda to the British, without the loss of a single man. Banda is a valuable spice island, belonging to the cluster of islands called the Moluccas. It is small, but produces abundance of nutmegs and cloves of excellent quality, and was to the Dutch, at the period of their prosperity, a source of considerable wealth.

The Caroline, Piedmontese, and Barracouta, British ships of war, arrived off Banda on the 8th of August last, and hove-to at a considerable distance from the land, to avoid being seen. At ten at night, being about four miles from the harbour, the boats were hoisted out, and assembled alongside of the Caroline, containing only 300 men, under the command of capt. Cole; they

they, however, separated in the night, and his original force was reduced to 180. The captain determined to proceed, and the boats grounded in a heavy squall within 100 yards of a battery of ten 24-pounders, which was stormed in the rear; the sentinel was killed by a pike, and 60 of the enemy were disarmed without firing a single pistol-shot. After leaving a guard in the battery, the storming party, headed by captain Knight, and the reserve by captain Cole, proceeded to Fort Belgica by a narrow path on the skirts of the town. The fire of the enemy was reserved until the British were close under the walls. The scaling ladders were placed between the guns, and mounted with a rapidity exceeding belief: notwithstanding a sharp fire from the citadel, the British soon gained possession of the lower works. The enemy's troops were panic-struck, and fled in all directions, leaving ten men killed, and two captains and 30 men prisoners. All this was accomplished by the British without the loss of a single man, who, having obtained a commanding situation with Fort Nassau and the town immediately under their guns, a flag of truce was dispatched to the governor, offering protection to private property on the surrender of the island; which was refused: but on a shot from Belgica, and a threat of storming the town and forts, the enemy surrendered unconditionally, and 700 disciplined troops and 800 militia grounded their arms. This gallant exploit will amply reward the captors for their brilliant achievement. Banda Neira and its dependencies exported annually 600,000*l.* worth of spices to Batavia. Spices to the amount of 600,000*l.* were found in the island at the time of its capture.

17. The attorney-general moved

for the judgement of the court against P. Finnerty.

Mr. Finnerty presented his amended affidavits. He had endeavoured, as far as possible, to conform himself to the precedent acted on by the court itself, in the case of Colonel Draper.

The affidavit was read to a certain length; but on its proceeding to state that the defendant should be able to offer a justification of the whole libel, and to point out objectionable features in the government of Lord Castlereagh in Ireland.

Lord Ellenborough observed, that these were things on which the court had formerly commented with disapprobation. They were not to receive statements or affidavits *in justification*, but *in mitigation*.

Mr. Finnerty said, so far as the court or the law of the country was concerned, he did come up in that spirit; but to do so, he must show that he was justified as to Lord Castlereagh.

Lord Ellenborough said, if the affidavit went to justification, it must be laid aside; the court was not to be insulted. After advising the defendant what was best for him to do, they would not have improper affidavits thrust upon them.

Mr. Finnerty assured the court he had withdrawn two-thirds of his former affidavit, and had retained of that part which had formerly been allowed to be read, only such part as seemed to have passed without objection on the part of the court. If the court would indulge him till to-morrow, he should omit all that part, which, from what he now understood to be the will of the court, could possibly offend.

Lord Ellenborough said, the defendant had already had an opportunity of filing a proper affidavit, and he had pertinaciously persisted

is. The court could not indulge him from time to time, till it suited his will to come in a proper mind to act as became a person in his situation.

Mr. Finnerty contended, that he had shaped his conduct entirely by the case of col. Draper. There were statements in the affidavit he had now tendered, which would attonish the court if they would hear them. But, if he was not to be suffered to state them, he must submit.

He then gave in the affidavit of David Power, who accompanied the expedition to Walcheren, in which Mr. Power represented the prejudices raised against the defendant in consequence of the order relative to him which had been issued, to be such, that he should not have conceived it safe for the defendant to show himself on the British lines, and in consequence of which he dissuaded the defendant from going into public company. This affidavit was admitted, and also an affidavit of Dr. Lipscomb, who had lately attended the defendant, stating his irritation of mind to have been such, that he esteemed him in great peril of mental derangement, or even of death.

Mr. Finnerty then offered the affidavit of a Dr. O'Connor, relative to a Mr. Chinnery. On being asked, to what the affidavit referred? He stated it referred to a fact of a person's having been banished to Botany Bay on the warrant of lord Castlereagh alone, without trial.

The court said, it could not be received.

Mr. Finnerty—If the court could believe this man guilty of such an offence, would they punish him for speaking ill of such a man?

He then offered in evidence two other affidavits, which, he said, would fill the minds of the court

with horror at the bare recital of them.

Lord Ellenborough asked, were they to be trying persons who were not before them? This was an enormity not to be tolerated. These affidavits must be refused.

Mr. Finnerty said, he had told the court if they would wait, he would tomorrow new-model his affidavit.

Lord Ellenborough observed, that he had been simple enough to believe that the defendant meant to profit by the recommendation of the court, but he found he had been deceived. Was there any thing more the defendant would wish to offer, which he would venture to say should be received?

Mr. Finnerty understood he was at liberty to offer any thing in extenuation of his own offence. Now what would extenuate his offence as against the public and against the law of the land, must of course aggravate the offence as against lord Castlereagh. He wished to treat the law of the land with all respect, but by no means to make any atonement for what he had said against lord Castlereagh. The indictment charged him with having attributed every thing that was bad to lord Castlereagh, he now asserted the truth of his statement, and was ready to show that he was that hate person.

Here some marks of approbation having appeared among the audience part of the court,

Lord Ellenborough said, if any individual attempted to disturb the court, he should be sent to a place where he would be more properly seen after; he also ordered that part of the court to be cleared.

Mr. Finnerty said, he was ready to prove what he had just stated; and if the noble lord or his advocates were willing to justify him, they had an opportunity of answering

ing the charge. But, in the name of all goodness, how would it appear, if, while he was sent to prison for asserting this, the noble lord should be impeached for any one of the acts of which he was now ready to adduce evidence! He now asked, would the court allow any of these affidavits to be read?

Lord Ellenborough said, if they were of the nature of those he had already tendered, certainly not.

Mr. Finnerty here tendered certain affidavits, describing different species of punishment said to have been inflicted in Ireland: one was the affidavit of John Clare, of Essex-street, Dublin, merchant-tailor, sworn before the right hon. St. George Daly. It stated, "that various kinds of torture, by half-hanging, whipping, &c. had been practised in Dublin in the year 1798," &c. But which the court refused to receive.

He then said, he was ready, if he had been allowed, to prove the truth of every part of the libel. If he was refused that, he must seem not only to be a libeller, but, what to his own mind was worse, a liar. The affidavits which he was now ready to produce, and for every one of which he could have procured a hundred such, he had taken the trouble to go to Ireland to select. To this trouble and expense he had exposed himself, misled by the case of Draper, who was allowed a complete proof in justification; and, even though great part of the proof offered by him turned out to be false, escaped without any punishment but being held to bail, purely because there had been an irritation excited between the parties.

The court then called on the defendant to state what he had to offer in mitigation.

Mr Finnerty contended that it was for the attorney-general to state his

case first, so as to allow the defendant, who had suffered judgement to go by default, the right of replying.

It was ruled, however, that, no affidavits having been filed on the part of the prosecution, the practice lay the other way.

Mr. Finnerty then began by stating, that he was aware of all the disadvantages under which he laboured, it having been his misfortune to build on a precedent of their lordships' own, and to regulate his conduct by it; whereas their lordships did not now see it expedient to allow him the benefit of that precedent. In appealing to the laws of England, so admired for their beauty, he could not doubt, however, of a favourable result; when the question to be considered was simply this, whether a man, who had suffered oppression and calumny, should be condemned to punishment, because he had ventured to complain of the author of his oppression—whether in fact self-defence, that first law of nature, should be deemed a crime—whether a British subject should be deprived of what had been emphatically termed the last refuge of the unfortunate—the right of complaint? He came there to ask for justice, without surrendering his freedom. It was his most sincere wish, in stating his case, to do so with every expression of respect for the court. This he did not from fear, but truly from respect for their high station. The last place in which fear ought to prevail, was a British court of justice. He never meant either to confess guilt or to supplicate for mercy. No, he knew lord Castlereagh too well, and respected himself too much, to have done either. Had he made any false charge against that noble lord, or any man else, and he had afterwards ascer-

tained

tained that he was in error, he should have thought it his duty promptly and publicly to have made an apology, even had he become sensible of his error after he had suffered punishment. The affidavits which he had to produce, if they had been suffered to be read, would have exhibited such a picture as could hardly have been conceived in any country, either in a state of civilization or of barbarism. The law of libel was of such a nature, *that whatever the judge who tried the case chose to declare a libel, the jury must find to be so.* In stating this, he did not mean any thing disrespectful to their lordships. The law of libel did not originate with them. Judge Maller, as far back as the reign of king Charles, declared a libel against a strumpet to be worse than if it had been against an honest woman.

Mr. Justice Le Blanc said, the defendant must not indulge in fresh libels, but must confine himself to matter in mitigation of the offence already committed by him.

Mr. Finnerty contended that he was now stating what went in mitigation of his offence so far as the law was concerned. He then proceeded to notice the prejudice which prevailed against men who exposed persons in high situations. Was he, then, to be punished for reprobating what he offered to prove?—It was a doctrine laid down by lord Kenyon, that a man who was himself a libeller, could not complain of another who libelled him. The principle he conceived was just, and on this principle lord Castlereagh had no right to complain of him. Let the court look at the order for his being sent home from Walcheren, and then say if this reasoning did not apply; for what could be a more grievous libel than to hold

him out as a suspected or seditious person? A libel was stated to be a misdemeanour, because it had a tendency to provoke a breach of the peace; but what could their lordships think of a libel that had a tendency to provoke assassination?—a situation in which the order in question had placed the defendant, as appeared from Mr. Power's affidavit. But what must the country think of this noble prosecutor, who occupied himself in looking after such a humble individual as the defendant, when he might have been so much more usefully employed in ordering bark to be sent over to our sick troops at Walcheren? Mr. justice Blackstone laid it down, that where a person was indicted for an assault, if the prosecutor was the first assailant, the defendant was entitled to an acquittal. Now, if such was the rule in an actual breach of the peace, or even in the case of murder, should it be denied in the case of libel, which was only a tendency to a breach of the peace? Who then, he asked, was the aggressor in this case, or who had given the greater offence?—Mr. Finnerty was proceeding to allude to a publication relative to him in *The Morning Post*, when—

Lord Ellenborough remarked, that there was hardly an observation the defendant had made which was applicable to the present case. If the defendant did not choose to confine himself to the matter before the court, they would be under the necessity of remanding him till next term.

Mr. Finnerty said he was present when Gilbert Wakefield made a speech in that court of three hours length. The court, however, might dispose of him as they pleased. He was now, if they wished it, ready to close what he had to say.

Lord Ellenborough said he might proceed.

Mr. Finnerty then offered a statement as to what had been done to himself in Ireland thirteen years ago; as grounds on which he proposed to justify the opinion he had stated, as to the government of lord Castlereagh in Ireland, and different authorities on the subject of Irish affairs during that period, but was informed that these things could not be assumed. He then proceeded to consider the punishments with which the court had been in the use at different times of visiting the crime of libel. In the time of Philip and Mary, a libeller against the government had been sentenced to imprisonment for a month, and to pay a fine of 100*l*. In the reign of queen Elizabeth, a similar crime had been punished by imprisonment for two months, and by a fine of 200*l*. Even in modern times, Mr. Herriot, for a libel on earl St. Vincent, which was both seditious and false—whereas the present libel was not seditious, and was strictly true—was sentenced to six months. In the case of Draper there was no punishment; and in that of Blagdon, it was imprisonment for a short period. He was induced, too, to notice the kinds of prisons to which it had been customary to send persons who received the judgement of the court. For his own part, he would suffer death rather than be sent to a prison *under the care of the Middlesex magistrates*, conscious that a lingering death must be the result. He again declared, that he was innocent of every intention to write a libel; and if he should be told that no person was entitled to plead ignorance of the law, he must answer that this was a law no where to be found, and to which the rule of *ignorantia*

*legis non excusat* did not apply. There surely was some excuse for his ignorance of a law, in their interpretation of which even the judges themselves so completely differed from each other, and even from themselves! His lordship must recollect how widely he and the present attorney-general had differed from each other in the recent case of Mr. Perry, as to what constituted a libel. After some further observations, the defendant concluded by assuring the court that where he had erred, he had done so from ignorance, and not from any disrespect to the court or to the law of the land.—Even in the dungeon of Dionysius, could such a place be now found out for his reception, he would not purchase his liberation by exchanging characters with lord Castlereagh.

The attorney-general said, he had heard the speech just made by the defendant, with regret, and a considerable part of it not without disgust. The libel he did not wish to read. There was nothing in it either so malignant or so wicked as that which had fallen from the defendant to-day. But who was this person who placed himself on this eminence, when compared with lord Castlereagh? Who was he who issued such a proclamation of his own importance? What was he by his own account? The editor of an Irish newspaper called *The Press*, during the rebellion in Ireland, and who had there stood in the pillory.

Lord Ellenborough said this was irregular.

The attorney-general confessed, that after all the vile and scandalous matter which the defendant had thrown out against lord Castlereagh, which did not touch on the case, the court was right to confine him (the attorney-general) strictly

strictly to the libel. The defendant had addressed their lordships on the subject of punishment, and had called on them not to send him to a particular gaol. He (the attorney-general) hoped, however, the punishment would not be confined to imprisonment; but would be such as should mark the opinion of the court as to conduct such as that which the defendant had this day pursued. He did not call on the court for an unreasonable degree of severity. He only begged of them to look at the nature and magnitude of the offence for which they were now called on to measure out a proportionate punishment. If it did not exceed all libels they had ever under consideration, then the punishment would be less than he expected; if it did, the court would feel it to be their duty to visit it accordingly, tempering, as they would never fail to do, justice with mercy.

Mr. Garrow followed on the same side.

Mr. justice Grose then pronounced the judgement of the court in nearly the following terms: "Peter Finnerly, you are to receive the sentence of this court, upon an indictment charging you with having composed and published one of the most inflammatory libels against lord viscount Castlereagh, as one of his majesty's principal secretaries of state, that the envenomed pen of malice could put upon paper, in respect of a gentleman of his rank and situation in the country:—of this libel we must deem you to be the composer, for upon the indictment it is so charged, and by your suffering judgement to go by default you have admitted the fact. As to mitigation, we in vain look for any thing like it; the whole of your conduct seems to show you

to have proceeded with a cool deliberate intention to commit the crime charged upon you; and in what has passed this day, we are sorry to find nothing like a sense of your offence, or any thing like contrition. I have stated that the whole of this subject has been lately before us. It has been so lately before us, and is so fresh in our memory, that we have no difficulty in passing upon you, without further deliberation, the sentence of the law; and accordingly this court do order and adjudge, that for this offence *you be imprisoned in his majesty's gaol, in the county of Lincoln, for eighteen calendar months*, and that, at the expiration of that time, you do give security for your good behaviour *for five years*, yourself in 500*l.* with two sureties in 250*l.* each; and that you be further imprisoned in the said gaol till such security be given; and that you be in the mean time committed to the custody of the marshal of the Marshalsea in execution of your sentence."

MR. POLE'S LETTER TO THE SHERIFFS, &c. OF IRELAND.

"Dublin Castle, Feb. 12, 1811.

"Sir,—It being reported that the Roman Catholics in the county of —— are to be called together, or have been called together, to nominate or appoint persons as representatives, delegates, or managers, to act on their behalf as members of an unlawful assembly, sitting in Dublin, and calling itself the Catholic Committee, you are required, in pursuance of the provisions of an act of the thirty-third of the king, chap. 29, to cause to be arrested, and to commit to prison (unless bail shall be given), all persons within your jurisdiction, who shall be guilty of giving, or having given, or of publishing, or having published, or of causing or having caused



caused to be given or published, any written or other notice of the election and appointment, in any manner, of such representative, delegate, or manager as aforesaid; or of attending, voting, or acting, or of having attended, voted, or acted in any manner, in the choice or appointment of such representative, delegate, or manager. And you are to communicate these directions, as far as lies in your power, forthwith to the several magistrates of the said county of ———.

"N. B. Sheriffs are to act under the warrant of magistrates, in cases where the crime has been committed.

"By command of his grace the lord lieutenant.

"W. W. POLE.

"To ——— &c."

12. The following letter was transmitted to J. W. Croker, esq.

*Boadicea, St. Paul's Road,*

*Isle of Bourbon, Sept. 21.*

Sir,—I have the honour to inform you, that, after having anchored in this bay on the morning of the 18th Sept. I discovered, soon after, three sail in the offing, two of which appeared to have suffered in their masts and rigging. I immediately weighed anchor, in company with the Otter sloop and Staunch gun-brig, but from light winds was unable, for some hours, to clear the bay, at which period the ships were nearly out of sight. The Boadicea, having the advantage of a fresh breeze, neared the enemy; one of them, which had a crippled frigate in tow, cast her off, and made all sail away from us; the third bore up under her courses (having lost her topmasts) to protect the other, which enabled us to close with her: we soon ran her alongside, and after a short but close action, having lost nine killed

and 15 wounded, she struck to the Boadicea, and proved to be the French imperial frigate Venus of 44 guns, with a complement, on leaving port, of 380 men, commanded by commodore Hamelin, senior officer of the French squadron in India, victualled and stored for six months. —She had, in the early part of the morning, in company with the Victor corvette, captured, after a most gallant defence, his majesty's ship Ceylon, commanded by capt. Gordon, having on board gen. Abercromby and his staff, bound for this island. I made the signal for the Otter to take possession of the Ceylon, while they took the Venus in tow, and they are both arrived in these roads, where I trust we shall, in a few days, have them and the Africaine in a state for service, which will again restore us to our accustomed ascendancy in these seas, col. Keating having, with that zeal he has manifested on every occasion, offered to complete their complements from the force under his command. It is with much satisfaction I have again to call your attention to the gallantry and zeal manifested by my officers and ship's company in presence of the enemy; to which I have also to add that of lieutenant Ramsay of the 86th, with his detachment doing duty on board.—To lieutenant Langhorne I feel much indebted for his able assistance, in taking charge of and conducting into port the Africaine and La Venus; and beg you will have the goodness to recommend him to the lords commissioners of the admiralty.—I think it my duty to mention the active zeal shown by capt. Tomkinson of the Otter, and lieutenant Strut commander of the Staunch gun-brig, both on the present service, and on those in which we have lately been engaged:

engaged: the latter is an officer of long service, whose merits being well known to you, renders it unnecessary for me to recommend him to your notice. JOSHUA ROWLEY. GAZETTE EXTRAORDINARY. Feb. 13.

This gazette extraordinary contains an extract of a dispatch from R. T. Farquhar, esq. dated Port Louis, Isle of France, Dec. 7.

Mr. F. announces that he had assumed the government of the Isle of France, by virtue of a commission from the governor-general of India, and states the inhabitants to be tranquil and well disposed.

Admiral Bertie's dispatch is dated Dec. 6, and merely states that the expedition destined to act against the Isle of France had assembled at Rodriguez by the 22d Nov. with the exception of the troops from the Cape, which did not join at all: that on the 25th, the fleet, consisting of 70 sail, anchored in Grande Baye, 12 miles to windward of Port Louis, and, having disembarked the troops, artillery, &c. advanced along-shore, keeping up a constant communication. On the 2d Dec. gen. Decaen proposed a capitulation, which was signed on the following morning.—The admiral warmly praises the conduct of capt. Beaver, of the *Nysus*; of capt. Patterson of the *Hesper*; lieut. B. Street commanding the armed vessel *Emma*; and lieut. E. Lloyd, volunteer.

By the capitulation, the land and sea forces, officers, subalterns, and privates, are to retain their effects and baggage—not to be considered prisoners of war—but to be conveyed at British expense, with their families, to some port in European France. Private property to be respected, and the inhabitants maintained in their religion, customs, and laws.

The following is a list of vessels found at Port Napoleon:—Frigates: *La Minerve*, 52 guns; *La Bellone*, 48; *L'Astrée* and *La Manchée*, 44: *Iphigenie* and *Nereide*, 36; *Le Victor* sloop, 23; *L'Entreprenant*, and another brig, 22; *Charlton*, Ceylon, and *United Kingdom*, English East-Indiamen; 28 merchant vessels of various burdens, from 150 to 1000 tons; besides five gun-brigs.—This gazette concludes with two general orders, issued by major-gen. Abercromby, acknowledging the services of the 12th and 22d regiments; of the detachment of seamen commanded by capt. Montague; and of captains *Beaver*, *Briggs*, *Lye*, and *Street*. A general memorandum by admiral Bertie congratulates the officers and crews of the squadron on the successful issue of the attack, and thanks them for their exertions.

SUPPLEMENT TO THE LONDON GAZETTE EXTRAORDINARY.

A dispatch, of which the following is an extract, has been received from the hon. major-gen. Abercromby by the earl of Liverpool, dated Port Louis, Isle of France, Dec. 7, 1810.

[The introductory dispatch of gen. Abercromby states the surrender by capitulation of the Isle of France, on the 3d Dec. to the united force under the command of vice-adm. Bertie and himself; mentions his having placed Mr. Farquhar in charge of the government by desire of lord Minto; and refers to his aid-de-camp, capt. Hewitt, and the following dispatch, addressed to the governor-general of India, for further particulars.]

To the right hon. Gilbert lord Minto, &c. &c.

My lord,—I had the honour to inform

inform your lordship in my dispatch of the 21st ult. that, although the divisions from Bengal and the Cape of Good Hope had not arrived at the rendezvous, it had been determined that the fleet should proceed to sea on the following morning, as from the advanced season of the year, and the threatening appearance of the weather, the ships could no longer be considered secure in their anchorage at Rodriguez; and I did myself the honour to state to your lordship, the measures which it was my intention to pursue, even if we should still be disappointed in not being joined by so large a part of the armament.—Early on the morning of the 22d, vice-admiral Bertie received a communication from capt. Broughton, of H. M. S. *Illustrious*, announcing his arrival off the island with the convoy from Bengal. The fleet weighed at day-light, as had been originally arranged; and in the course of that day a junction having been formed with this division, the fleet bore up for the Isle of France. The greatest obstacles opposed to an attack on this island with a considerable force, have invariably been considered to depend on the difficulty of effecting a landing, from the reefs which surround every part of the coast, and the supposed impossibility of being able to find anchorage for a fleet of transports. These difficulties were fortunately removed by the indefatigable exertions of commodore Rowley, assisted by lieut. Street of the *Staunch* gun-brig, lieut. Blackiston of the *Madras* engineers, and the masters of his majesty's ships *Africaine* and *Boadicea*. Every part of the leeward side of the island was minutely examined and sounded; and it was discovered that a fleet might

anchor in the narrow passage, formed by the small island of the *Gunners' Coin* and the main land; and that at this spot there were openings through the reef, which would admit several boats to enter abreast. These obvious advantages fixed my determination, although I regretted that circumstances would not allow of the disembarkation being effected at a shorter distance from Port Louis. Owing to light and baffling winds, the fleet did not arrive in sight of the island until the 28th; and it was the morning of the following day before any of the ships came to an anchor.—Every arrangement for the disembarkation having been previously made, the first division, consisting of the reserve, the grenadier company of the 59th regt. with two 6-pounders and two howitzers, under command of major-gen. Warde, effected a landing in the Bay of Mapon, without the smallest opposition, the enemy having retired from Fort Marlastris, situated at the head of Grande Baye, and the nearest port to us which they occupied.—As soon as a sufficient part of the European force had been formed, it became necessary to move forward, as the first five miles of the road lay through a very thick wood, which made it an object of the utmost importance not to give the enemy time to occupy it.

Lieut.-col. Smyth having been left with his brigade to cover the landing-place, with orders to follow next morning, the column marched about four o'clock, and succeeded in gaining the more open country, without any efforts having been made by the enemy to retard our progress, a few shot only having been fired by a small picquet, by which lieut.-colonel Keating, lieut.

Ash

Ash of his majesty's 12th regt. and a few men of the advanced guard, were wounded. Having halted for a few hours during the night, the army again moved forward before daylight, with the intention of not halting till arrived before Port Louis; but the troops having become extremely exhausted, not only from the exertion which they had already made, but from having been almost totally deprived of water, of which this part of the country is destitute, I was compelled to take up a position at Moulin à Poudre, about five miles short of the town. —Early the next morning lieutenant-col. McLeod, with his brigade, was detached to seize the batteries at Tombeau and Tortue, and open a communication with the fleet, as it had been previously arranged that we were to draw our supplies from these two points. The main body of the army, soon after it had moved off its ground, was attacked by a corps of the enemy, who, with several field-pieces, had taken a strong position, very favourable for attempting to make an impression on the head of the column, as it showed itself at the end of a narrow road with a thick wood on each flank. The European flank battalions, which formed the advanced guard, under the command of lieutenant-colonel Campbell, of the 33d regt. and under the general direction of gen. Warde, formed with as much regularity as the bad and broken ground would admit of, charged the enemy with the greatest spirit, and compelled him to retire with the loss of his guns and many killed and wounded. This advantage was gained by the fall of lieutenant-col. Campbell, a most excellent and valuable officer, as well as major O'Keefe of the 12th regt. whom I have also every reason

sincerely to regret.—In the course of the forenoon the army occupied a position in front of the enemy's lines, just beyond the range of cannon-shot. On the following morning, while I was employed in making arrangements for detaching a corps to the southern side of the town, and placing myself in a situation to make a general attack, gen. De Caen proposed to capitulate. Many of the articles appeared to vice-adm. Bertie and myself to be perfectly inadmissible; but the French governor having, in the course of the same day, acceded to our terms, a capitulation for the surrender of this colony and its dependencies was finally concluded.

Your lordship will perceive that the capitulation is in strict conformity with the spirit of your instructions, with the single exception that the garrison is not to be made prisoners of war.—Although the determined courage and high state of discipline of the army which your lordship has done me the honour to place under my command, could leave not the smallest doubt in my mind in respect to the issue of an attack upon the town, I was nevertheless prevailed upon to acquiesce in this indulgence being granted to the enemy, from the desire of sparing the lives of many brave officers and soldiers, out of regard to the interests of the inhabitants of this island, having long laboured under the most degrading misery and oppression (and knowing confidentially your lordship's further views in regard to this army), added to the late period of the season, when every hour became valuable; I considered these to be motives of much more national importance, than any injury that could arise from a small body of troops, at so remote a distance from Europe, being

being permitted to return to their own country free from any engagement.—In every other particular, we have gained all which could have been acquired, if the town had been carried by assault.

[Major-gen. Abercromby then praises, in the warmest terms, the cheerfulness and patience with which the officers and men submitted to many privations, not being able to procure a sufficient supply of water for 24 hours.]

#### POPULATION OF FRANCE.

16. The Parisian board of longitude has given the following statement, in round numbers, of the population of the empire, for 1811, distinguishing the inhabitants by the language they speak, and excluding the military: the French language, 27,916,000; Italian, 4,922,000; Flemish or Dutch, 4,411,000; German, 4,100,000; Lower Britany, 1,075,000.—Total inhabitants, 42,424,000.

#### SWITZERLAND.

20. The decree for uniting the Valais, under the name of the Department of the Simplon, to the French empire, has been productive of much bloodshed. The inhabitants, who enjoyed peculiar privileges, and who relied on the faith of former engagements, expressed great dissatisfaction on its being communicated to them, and requested permission of gen. count Cæsar Berthier, the emperor's commissary, to suspend its execution until they should send a deputation to Paris. Berthier told them, that his orders were peremptory, and that he dared not disobey. The decree was accordingly carried into execution. On the 3d Dec. intelligence was transmitted from Paris, that the deputies had been put under arrest. The populace immediately

collected at Sion, before the residence of Berthier, who, finding it impossible to divert their indignation, desired the troops to charge and disperse them. Before this order, however, could be effected, he was brought to the ground by a stone; and the troops, in attempting to punish this insult, were repulsed by the populace, with a loss of 20 killed and wounded on both sides.

#### CORRESPONDENCE OF LORD FRENCH AND MR. POLE.

In consequence of its being distinctly understood at the Catholic meeting, held in the Committee-rooms in Chapel-street on Saturday the 23d of February, that it was the wish of secretary Pole to see lord French, and any number of Catholic gentlemen, sir Edward Bellew, bart. Messrs. O'Connell, Keogh, Murphy, and McDonnell, were approved of as the persons to accompany lord French. In the evening of the 23d, alderman Darley waited on lord French with the two following notes, which he delivered in person:—

*"February 23.*

"My lord, I am instructed by Mr. Pole to say that he will be happy to see your lordship at three o'clock to-morrow.—I have the honour to be your lordship's obedient humble servant,

(Signed) "FREDERICK DARLEY,  
"To the right hon. lord French."

*"Dublin Castle, Feb. 23.*

"My lord,—In consequence of a communication from alderman Darley, I beg leave to state to your lordship, that I had intended sailing for England to-morrow evening; but that, if your lordship or any other of the Catholic gentlemen wish to see me, I shall postpone my intended journey till Monday night,

night, if it should be inconvenient for your lordship or your friends to call upon me to-morrow.—I have the honour to be, my lord, with great respect, your most obedient humble servant,

(Signed) "W. W. POLE."  
"To the right hon. lord French."

Alderman Darley requested of lord French a written answer to Mr. Pole, which his lordship stated he could not with propriety comply with, until he had conferred with the gentlemen who had been appointed to accompany him. On the departure of alderman Darley, lord French made immediate communication to the secretary, Mr. Hay, of the foregoing notes, with a request that the gentlemen appointed might be called together to meet lord French the next morning; and in consequence a meeting took place at one o'clock on Sunday, and the following was thence dispatched to Mr. Secretary Pole:—

"Dominick-street, Feb. 24.

"Sir,—I have the honour to acknowledge the receipt of your note of yesterday, stating, that in consequence of a communication with alderman Darley, though you had intended sailing for England this morning, yet if I, or any of the Catholic gentlemen, wished to see you, you would postpone the intended journey until Monday night, if it should be inconvenient to me or my friends to call upon you this day. I beg leave to return you thanks for the politeness of your communication.

"I have submitted your note to the gentlemen who were appointed to accompany me on waiting on you, and I am desired respectfully to inform you, that we understood 'distinctly' from alderman Darley, that it was 'your wish' to see me and some other Catholic gentlemen;

and I did express the readiness which pervades the gentlemen who composed the meeting of yesterday, to afford you, sir, and every member of the government, any explanation you may require.

"For this purpose I am ready to wait on you, with the gentleman alluded to, at three o'clock. this day, in case it should be your wish to see us.

"I have the honour to be, sir, with great respect, your most obedient humble servant,

(Signed) "FRENCH."  
"To the right hon secretary Pole."

"Dublin Castle, Feb. 24, half-past two P. M.

"My lord,—I have this moment the honour of receiving your note, in reply to mine, which was yesterday delivered to your lordship by alderman Darley. I did myself the honour of writing yesterday to your lordship, in consequence of having been informed by alderman Darley that you had stated, that if I had expressed a wish to see you, you would have had much pleasure in calling on me. In answer to this notification I desired alderman Darley to inform your lordship that I had nothing to communicate to you, but that, if your lordship or any of the Catholic gentlemen had any desire to see me, I would at all times be happy to receive you. Alderman Darley, in reply to this message, brought me word that your lordship and some Catholic gentlemen would call on me on Monday, if I wished to see them.

"Feeling that I had from the first expressed that I could have no wish to give your lordship the trouble of calling upon me, but at the same time wishing to render it impossible that any inaccuracy in the delivering of the verbal messages, which

which had passed between us, should make it appear that I was deficient in attention to your lordship, I conceived it to be the most proper course to acquaint your lordship, in writing, that, if you wished to call on me, I should be ready to receive you.

"As it now appears that your lordship has no communication to make to government, I have only to request your lordship to believe that I have no desire to give your lordship or the other gentlemen any further trouble. I have the honour to be, my lord, with much respect, &c.

(Signed) "W. W. POLE.

"To the right hon. lord French."

The Catholic committee have since come to certain resolutions, declaratory of their right to assemble in an aggregate body to petition, and their determination so to do, "and never to abate from any constitutional effort, until they shall finally accomplish their common freedom—an event which can now alone afford to those attached to their native land any certain prospect of maintaining unbroken and invincible the integrity and independence of the British Islands."

#### EXTRAORDINARY CASE.

23. A few days since, a great part of Ashdown forest, in Sussex, was inclosed by a set of men called Foresters, and also by the rev. Robert Bingham, the curate of the parish of Mayersfield; which being deemed to be the right of the duchess of Dorset, the same were thrown down by order of her grace, lord Whitworth, and lord Sheffield, the acting magistrates for that county. This act irritated all those who had made inclosures, and some of them were heard to make use of threatening language, which cau-

ed some little alarm among those concerned in destroying the inclosures; but no particular notice was taken, or any act done, except swearing in a number of respectable inhabitants as special constables, to be ready in case of an emergency.

On Sunday, the 16th of December, a letter was found on the road near Mayersfield, by the sons of Mr. Richard Jenner, a respectable farmer, directed to their father. The boys took it home, but their father being absent, they gave it to their mother, who on opening it, discovered that it was headed in large letters, "Fire! Murder! and Revengel" and the contents threatened destruction to the parson, churchwardens, farmers' houses, barns, and stacks. The boys told the mother, that after Mr. Bingham performed the morning service at Mayersfield church, he got on horseback to ride to a neighbouring parish to do duty in the afternoon; he passed them, and when he was at a short distance from them, they saw a paper drop from his pocket, which they were positive was the letter they picked up.

The letter so much alarmed Mrs. Jenner, that she sent off one of her sons after her husband, who was in London. The circumstance caused considerable alarm in that part of the country. Lords Whitworth and Sheffield published an advertisement, offering a reward of 200*l.* for the discovery of the writer of the letter. A number of men were employed to watch Mr Jenner's premises, and to patrol in different parts.

On the 16th of January last Mr. Bingham's house was discovered to be on fire; and although timely assistance was given, a great part of the premises was destroyed. It was ascertained that the fire broke out

out in the school-room, where there were several faggots laid. Mr. Bingham reported that he had no doubt it was one of the Foresters who had set fire to his premises. The account he gave of the fire and his conduct was, that the family went to-bed about ten o'clock—he was the last up. About half past ten o'clock he heard the noise of footsteps; he looked out of his window, but could not see or hear any person.

About half-past eleven o'clock he was alarmed again—he looked out of the window the second time, but did not see any person; but a little before one, he heard a noise at the school-room door; and he states that he saw a man walking from the house, but could not tell whether he had on a blue coat or a smock frock. This account being so very extraordinary and unsatisfactory, lord Sheffield sent to the public office, Bow-street, for an active and intelligent officer, and Mr. Read sent Atkins. Upon the officer's arrival, after making inquiries, he strongly suspected Mr. Bingham set his own house on fire, and in consequence placed several men to watch. One of them he stationed in the steeple of the church, when he discovered him to bring a great quantity of books from his stable, and bury them in his garden. From a variety of other suspicious circumstances, a warrant was granted against Mr. Bingham, and one to search his premises; when Atkins found in the roof of the privy a variety of valuable papers concealed; together with other suspicious circumstances of his having set his premisses on fire for the purpose of defrauding the Union fire-office; and he was in consequence taken into custody, and on the 2d inst. underwent an examination at Lewes

before lords Chichester and Sheffield, and was fully committed for trial. He was afterwards tried upon two indictments, and acquitted.

### MARCH.

#### AMERICA.

1. A chain bridge has been cast over the river Merrimack, three miles above Newbury port, in the state of Massachusetts. It consists of a single arch of 244 feet in length. The abutments are of stone, 47 feet long and 37 high; the uprights, or framed work which stands on the abutments, are 35 feet high, over which are suspended ten distinct chains, the ends of which, on both sides of the river, are buried in deep pits, and secured by large stones: each chain is 516 feet long, and where they pass over the uprights, and where the greatest strain rests, they are treble, and made in short links. The four middle joists rest on the chains; all the rest are suspended to the main chains, to equalize the floor. This bridge has two passage-ways, of 15 feet in width each, and the floor is so solid as to admit of horses, carriages, &c. travelling at any speed, with very little perceptible motion of the floors.

#### FUNERAL OF

#### THE DUKE OF ALBUQUERQUE.

On the 2d of March, the honours due to the birth, character, and services of the late brave and lamented duke of Albuquerque were paid to his remains. The chapel royal of Spain, in Spanish-place, Manchester-square, was fitted up on this occasion for the celebration of a solemn dirge for the repose of his soul, with much mournful magnificence. The coffin, which had been deposited the night before in the vault underneath, was placed on a bier in the centre



centre of the chapel. It was covered with crimson velvet, richly ornamented with gilt handles, stars and nails, and a large gilt plate with the arms of the duke thereon, and the motto and inscription as follows :  
*Præferre patriam liberis parentem*  
*debet.*

#### Depositem

D. Jose Maria de la Cueva,

Duque de Albuquerque,

Teniente general de los reales exercitos ; embaxador extraordinario de S. M. C. Don Fernando VII. cerca de S. M. B., &c. &c.  
 Obiit Feb. 18, 1811, ætatis suæ 37.

At the foot of the coffin, a step lower, was placed a square casket containing the embalmed bowels. On the top of the coffin stood a silver urn containing the heart ; and a ducal coronet. Towards the foot of the coffin were displayed the full-dress uniform coat of a Spanish general, worn by the duke (of dark blue, faced and lined with scarlet, and very superbly embroidered with gold), the sword and cane placed saltierwise ; the scarf, the hat with feather and Spanish cockade, &c. Over these were placed the blue and white ribbon, with the other insignia of the order of Charles the Third, and the chamberlain's gold key. The sides of the bier were appropriately decorated with heraldic bearings ; in the centre of each, an escutcheon with the family arms on the shield, inclosed within the collar of Charles the Third, in an ermined mantle, ornamented with military trophies, and surmounted by a ducal coronet. On each side of the escutcheons was the crest of the family (a knight in full armour, with a cross in his right hand, emerging from a circular embattled tower,) with the family motto. The whole was surrounded by 20 very lofty

gilt candlesticks, with lights burning. The altar was similarly lighted up, and silvered escutcheons fixed up in various places. The particular mourners sat between the coffin and the altar, mostly Spanish officers in their uniforms, and gentlemen residing here, who are natives of Spain, with some British officers who have served in that country. Many English and French nobility and gentry sat in the body of the chapel round the bier. The marquis of Wellesley and admiral Apodaca sat on the same bench. The foreign ambassadors and other foreigners of distinction, and their ladies, occupied the private gallery to the right of the altar, and the king's ministers and their friends sat in that to the left. The rest of the chapel was filled with persons of both sexes, in mourning. The chapel was opened at ten ; admission to which was obtained by tickets. At 11 o'clock the solemn service of high mass was performed with all the magnificence which accompanies the celebration of the principal rites of the Roman Catholic church. A Catholic bishop, the rev. Dr. Poynter, coadjutor of London, officiated in person in his episcopal vestments, wearing a white mitre.

The united musicians of the Spanish and Portuguese chapels performed the celebrated mass of Mozart : after which, the office for the dead was chaunted. The impressive nature of the service, and the peculiarly-afflicting circumstances of the occasion, excited much seriousness, and called forth the silent but strong expressions of deep-felt regret. The ceremony being concluded, at two o'clock the body was carried out by six bearers, and placed in the hearse.

The ministers present at the chapel service, and who went in procession

cession to the Abbey, were the marquis of Wellesley, the earls of Westmorland, Liverpool, Bathurst, and Harrowby, and the hon. Mr. R. Dundas Saunders. Lords Holland, Castlereagh, Darnley, and G. Grenville, &c. were among the numbers present at the chapel. Admiral Apodaca had invited the king's ministers, the foreign ambassadors, many British and foreign nobility, and all the Spaniards resident in London.

The procession was conducted in the following order :

Strong escort of the 15th light dragoons.

Two porters in dress on horseback.  
Eight horsemen in dress on horseback.

Two porters in dress on horseback.  
State lid of feathers.

Coronet and velvet cushion, carried by a gentleman on horseback.

Two porters in dress on horseback.

Coach and six horses, containing Dr. Richard Simmons, physician ; Mr. Chavernac and Mr. Loustan, surgeons.

THE BODY, in a hearse drawn by six horses.

Eleven mourning coaches.

About 100 carriages of the nobility and gentry followed ; and the whole of the procession was brought up by another detachment of the 15th dragoons.

The procession then moved slowly along through Manchester-square, Bentinck-street, Welbeck-street, Vere-street, Bond-street, St. James's-street, Pall-mall, Charing-cross, and down Parliament-street, to the great western entrance of Westminster Abbey. From the time when the procession took its departure from the Spanish chapel, till its arrival at the Abbey, minute guns were fired in the Park. As it passed the Horse Guards,

a party of the life guards were drawn up under arms. In front of the Abbey, foot guards were drawn up, with inverted arms ; and they also formed a line on each side of the great aisle of the church.

The procession was received at the Abbey door by the rev. Dr. Vincent, dean of Westminster, several prebendaries and minor canons. The choristers chanted part of the Psalms of the funeral service, with an accompaniment from the organ till the whole of the procession had arrived. The procession then, preceded by the alms men and officers of the church, passed along the north aisle to the chapel of Henry VII. The vault is at the east end of the chapel, and bears the name of the Ormond vault. This vault was the temporary repository of the body of the great duke of Marlborough, on the occasion of the famous state funeral with which his remains were so justly honoured. On reaching Henry's shrine, the dean and officers of the church turned round to the grave by the right, and the funeral procession moved silently along by the left. Not a sound was heard but the occasional voices of the choir. A short funeral service was then read, the duke's insignia were taken off the coffin, and, after a short pause, the service concluded with another burst of the anthem at a quarter past four.—A great number of spectators were in the Abbey and Henry the Seventh's chapel.

Of the ministers, the only persons absent were the lord chancellor and Mr. Perceval ; the former of whom was at Windsor, and the latter serving on a committee at the house of commons.

The day being fine, the streets through which the procession pass-  
ed

ed were filled with carriages and persons on foot, and every window and balcony crowded that afforded a view. The general appearance and expression of the public spoke the sense they entertained of the loss sustained by our allies, and the feelings excited by the cause of Spain.

The tribute paid by the members of our government, and other distinguished persons, to the merits of the lamented duke, by their personal attendance at the solemnities of the Spanish chapel, and at his temporary interment in Westminster Abbey, reflects credit on themselves, and on the national character. Indeed, from the corresponding accounts of all who have known, or have said any thing of this distinguished nobleman, his merits must have been eminently conspicuous in his zeal for his country's service, and his death must be to that country a great and heavy loss. He appears to have been animated with a proper sense of what was due to the patrician rank he held in his own nation, to have felt a just indignation at the atrocious attempts of a foreign tyrant, and to have seen with shame and scorn the timidity and treachery of others of his own order and station. He fell prematurely, the victim of a sensibility too acute and too refined. Had it pleased Providence to have protracted his existence but a few days longer, and to have restored him to health, the recent decree of the cortes would have again placed him where he wished to be, and have cheered his heart with the gratifying experience, that he had not bestowed his services on an ungrateful country.

5. A bargeman, near the Flood-gate on the river Lee, at Bromley, discovered part of a human head

above the surface of the water. He immediately hastened in his skiff to the spot, and exclaimed, "Here is poor Mr. Flight!" The feet and legs being deep in mud, with some difficulty he got the body into his boat, and conveyed it to his disconsolate family at Stratford. Mr. Flight was an eminent miller and mealman of that place; and nearly a month ago he spent his evening at the sign of the Harrow, which house he left late in the night, and is supposed to have fallen into the river.

#### FORGERIES.

8. Forgery has been practised on a very respectable house in the city, under the following very singular circumstances, by which they were defrauded of two thousand and ninety pounds, and hitherto the parties have avoided the vigilance of the police. A few days ago, a person called at a house in Francis-street, Fitzroy-square, a part of which was to let, to engage it for, as he said, a gentleman of the first respectability; and having agreed to terms, &c. the better to prevent further inquiry, he offered to pay for three months in advance, and for the purpose presented for change a one hundred pound note, having several other notes in his hand at the same time: none of them, he said, were for smaller sums. This manoeuvre had the success that was wished; the lady who had the lodging to let, could not give change, but the sight of the money lulled her into security, and the gentleman was allowed to take possession on the following day. The financier, thus seated in fashionable lodgings, sets about raising the ways and means, and commenced by answering an advertisement from "a young man from

from the country in want of a situation," who was desired to call in Francis-street, Fitzroy-square, where, if he answered the description of the advertisement, he might hear of a situation likely to suit him. The young man accordingly presented himself; and being interrogated as to what he could do, &c. he was asked for his town references, which he gave, and was desired to call on the following day, at twelve, for his answer. He did so, and was informed that the inquiries respecting his character and connexions were satisfactory; and his salary being settled, he was to enter on his employment the next morning. However, as he was taking his leave, his intended master asked what way he was going, or if he was particularly engaged that afternoon? if not, he would get him to do a little business in the city for him. The youth eagerly expressed his wish to go any where; when his master, taking out a small red pocket-book, and from it a check for 2090*l.* desired him to get cash for it at the banking-house, observing at the time, that as bankers' clerks were not over-accommodating, he was to take two notes of 1000*l.* each, and the other 90*l.* any way; and then to go to the Bank of England to get notes of 50*l.* and 30*l.* for the two 1000*l.* notes, and to meet him at the Moorgate coffee-house, Fore-street. The check was paid by the banker without suspicion; and the large notes having been changed at the Bank in the manner desired, the young man went to the coffee-house, but no master had come to meet him. After waiting for two hours in great anxiety, he set off for Francis-street, and was there informed that his master had gone out soon after him, and had not re-

turned. The young man went a second time to the Moorgate coffee-house; still no master: but he found a note had been left for him during his absence. On opening it, it was from his employer, dated the White Hart tavern, Holborn, corner of Warwick-court, whither he was desired immediately to repair, where his master was waiting for him. On his way to Holborn he was joined by a man who forced his conversation on him, and to whom he related where he was going, and what he had been about. They parted at the door of the tavern, and the clerk went in to ask for his master; still no master was or had been there. The young man having been permitted to remain long enough in the tavern for those outside to ascertain that he was not followed by any person from the banking-house, or Bank of England, the person whom he had the conversation with in the street came into the house, and told him that his master was crossing the way. The young man looking out, saw his master, to whom he went up, and was *most graciously* received, and relieved from any further anxiety respecting his charge; the master, to save trouble, taking the youth's pocket-book, in which were the 2090*l.* promising to return it in the morning when he came to business: but this trouble was spared him, by a note which he received the same evening, inclosed in a parcel, in which were his pocket-book and two 1*l.* notes. The note expressed that unexpected business had called the master suddenly from town for Liverpool; that the two pounds were for the trouble he had had; but that his further services would for the present be dispensed with. This strange proceeding awakened suspicion in the young

young man's mind; and the following day, by the advice of some friends, he went to the banking-house; when they first discovered that the check was a forgery. It is hardly necessary to state, that the parties never returned to their lodgings in Francis-street.

Another case of forgery has occurred within this day or two, in the city, which, in point of art and dexterity, we presume, has no parallel in the annals of swindling. The party having succeeded in procuring cash at a banking-house to the amount of 1000*l.* for a forged check, in the course of the same day sent a person to the banking-house in question, in the name of the gentleman forged upon, for his banker's book; requesting at the same time that it might be made up to the latest moment, and contain all the checks which had been paid, as the gentleman (mentioning the name of the proprietor of the book) was about to leave town, and was desirous of seeing the state of his account. The request was complied with, and the swindler got possession of the forged draft, which, no doubt, he would destroy, as the surest means of preserving his own life in the event of detection and apprehension. Incredible as it may appear, we have heard that both these successful deceptions were practised *on the same* banking-house, and within a very few days of each other.

*Richard Armitage*.—This celebrated character, of whom so much has been heard respecting his transactions with Roberts in forgeries upon the Bank of England, in which establishment he was a clerk, was taken on Tuesday morning at an inn about three miles from Ipswich, in a cross country road, by John Foy accompanied by two gen-

tlemen from the Bank, a reward of 300 guineas having been offered for his apprehension as long since as the 11th of August. The prisoner went by the name of Barclay at the inn, and represented himself as a private gentleman, who wished to reside secluded from the gaieties and pleasures of the metropolis. He spent his time in the association of the gentlemen yeomen in the country, with whom he used to take the sports of the field; and his wife, who had just gone through an accouchement, was the only person who knew his situation. The prisoner was surprised in bed, first by the hostess of the inn, who informed him three gentlemen wished to see him; and after one of the gentlemen had been introduced, Foy followed and took him, and conveyed him to London in a chaise-and-four. He was carried to Marlborough-street office; and after having been identified, and some other necessary forms gone through, he was committed to New Prison, Clerkenwell, for examination on a future day, where he was doubly ironed. The prisoner appeared in good spirits. He had resided at the place where he was taken, from the day he had escaped from London.

Two marines were executed on board his majesty's ship *Zealous*, at Lisbon, on the 8th ult. for the murder of a sergeant of marines. Their trial disclosed the following wicked and in other respects singular circumstances:—the deceased sergeant had been sent with the two prisoners to do duty on board one of the prison-ships in the *Tagus*. In the course of the night, they planned to call the sergeant from his cot, under pretence of his being wanted. On his proceeding to the part of the ship requested, they way-laid him, and shoved him overboard. It

must

must be supposed that he had made himself obnoxious to them; but this did not appear. On the deceased's being missed, it obtained general belief on board the prison-ship that he had jumped over-board; but it was not warranted by the man's general character, for he was a sober discreet man, and a good soldier. The first intimation of his death to his shipmates on board the *Zealous*, was by the sentinel upon deck seeing his hat pass by the ship, in the *Tagus*. The sentinel instantly knew it belonged to him, and inquiry ensued. No suspicion, however, fell upon the prisoners; nor was it necessary for the ends of justice,—for their consciences so lacerated them, after the first hour they had committed the crime, that, as they confessed to their comrades, they had no rest day or night. Their voluntary confession led to their trial: they told the court they had not slept since, but were constantly visited by a distempered imagination of being in the presence of the deceased's ghost! Both of them, it afterwards appeared, were notorious characters; one of their names was Brown.—They died very penitent.

19. A rise of ten per cent. in the current value of the stamped dollars in circulation took place this day. The increase in the price of silver has become so great, that the dollars or tokens issued by the Bank sell for more as bullion than they are current at as coin. The directors of the bank of England therefore gave notice, that they would in future receive in payment all Bank dollar tokens at the rate of *five shillings and six-pence* each; and that all such tokens would henceforth be issued at the same increased rate.

21. This night, about ten o'clock, the inhabitants of Bristol, but more : 1811.

particularly the inhabitants of St. Philip, were alarmed by the appearance of one of the most apparently destructive fires almost ever remembered. The distillery of Messrs. Castle & Co. in Cheeselane was discovered to be in flames. The fire was first seen to issue from the sheds and corn-lofts in the premises; and the distillery being connected with them by wooden beams and sheds, the whole of their extensive buildings, stores, &c. &c. seemed for more than half an hour to be inevitably devoted to the fury of the devouring element. It was not long before the neighbourhood and many friends of the parties were upon the alert, and several engines soon arrived, together with detachments of the militia regiments and volunteers; and their exertions were so speedy, judicious, and efficacious, that we are happy to add, though several times the skirts and roofing of the distillery were on fire, the flames were at length subdued with the loss of only the outhouses, counting-house, piggery, &c. Owing to the firmness of some gentlemen who were present, not a single gallon of the immense quantity of spirits that were in the store-houses was, we believe, broke into; and the damage sustained is really trivial, in comparison of what seemed inevitable when the fire first broke out. Two of the firemen received much injury, and were conveyed to the infirmary.—The premises were insured.

#### LONDON GAZETTE EXTRAORDINARY.

*Downing-street, March 25.*

Dispatches, of which the following are copies, were last night received at the earl of Liverpool's office, addressed to his lordship by lieut.-gen. Graham :

(C)

*Isla*

*Isla de Leon, March 6.*

My lord,—Captain Hope, my first aide-de-camp, will have the honour of delivering this dispatch, to inform your lordship of the glorious issue of an action fought yesterday, by the division under my command, against the army commanded by marshal Victor, composed of the two divisions Rufin and Laval. The circumstances were such as compelled me to attack this very superior force. In order as well to explain to your lordship the circumstances of peculiar disadvantage under which the action was begun, as to justify myself from the imputation of rashness in the attempt, I must state to your lordship, that the allied army, after a night-march of sixteen hours from the camp near Veger, arrived on the morning of the fifth on the low ridge of Barrosa, about four miles to the southward of the mouth of the Santi Petri river. This height extends inland about a mile and a half, containing on the north the extensive heathy plain of Chiclana. A great pine-forest skirts the plain, and circles round the height at some distance, terminating down to Santi Petri; the intermediate space between the north side of the height and the forest being uneven and broken. A well-conducted and successful attack on the rear of the enemy's lines near Santi Petri, by the van guard of the Spanish army under brig.-gen. Ladriazel, having opened the communication with the Isla de Leon, I received gen. la Pena's directions to move down from the position of Barrosa to that of the Torre de Bermesa, about half-way to the Santi Petri river, in order to secure the communication across the river, over which a bridge had been lately established. This latter position occupies a narrow

woody ridge, the right on the sea-cliff, the left falling down to the Almanza creek, on the edge of the marsh. A hard sandy beach gives an easy communication between the western points of these two positions. My division being halted on the eastern slope of the Barrosa height, was marched, about twelve o'clock, through the wood towards the Bermesa, (cavalry patrols having previously been sent towards Chiclana, without meeting with the enemy). On the march I received notice that the enemy had appeared in force on the plain, and was advancing towards the heights of Barrosa. As I considered that position as the key of that of Santi Petri, I immediately countermarched, in order to support the troops left for its defence; and the alacrity with which this manœuvre was executed served as a favourable omen. It was, however, impossible, in such intricate and difficult ground, to preserve order in the columns, and there never was time to restore it entirely. But, before we could get ourselves quite disentangled from the wood, the troops on the Barrosa hill were seen returning from it, while the enemy's left wing was rapidly ascending. At the same time his right wing stood on the plain, on the edge of the wood, within cannon-shot. A retreat in the face of such an enemy, already within reach of the easy communication by the sea-beach, must have involved the whole allied army in all the danger of being attacked during the unavoidable confusion of the different corps arriving on the narrow ridge of Bermesa nearly at the same time. Trusting to the known heroism of British troops, regardless of the numbers and position of their enemy, an immediate attack was determined

terminated on. Major Duncan soon opened a powerful battery of ten guns in the centre. Brig.-gen. Dilkes, with the brigade of guards, lieutenant-col. Browne's (of the 28th) flank battalion, lieutenant-col. Norcott's two companies of the 2d rifle corps, and major Acheson, with a part of the 67th foot (separated from the regiment in the wood), formed on the right. Col. Wheatly's brigade, with three companies of the Coldstream guards under lieutenant-col. Jackson (separated likewise from his battalion in the wood), and lieutenant-col. Barnard's flank battalion, formed on the left. As soon as the infantry was thus hastily got together, the guns advanced to a more favourable position, and kept up a most destructive fire. The right wing proceeded to the attack of gen. Rufin's division on the hill, while lieutenant-col. Barnard's battalion and lieutenant-col. Bushe's detachment of the 20th Portuguese were warmly engaged with the enemy's tirailleurs on our left. Gen. Laval's division, notwithstanding the havoc made by major Duncan's battery, continued to advance in very imposing masses, opening his fire of musquetry, and was only checked by that of the left wing. The left wing now advanced, firing; a most determined charge by the three companies of guards, and the 87th regiment, supported by all the remainder of the wing, decided the defeat of Gen. Laval's division. The eagle of the 8th regiment of light infantry, which suffered immensely, and a howitzer, rewarded this charge, and remained in possession of major Gough, of the 87th regiment. These attacks were zealously supported by col. Belson with the 28th regiment, and lieutenant-col. Prevost with a part of the 67th. A reserve formed beyond the nar-

row valley, across which the enemy was closely pursued, next shared the same fate, and was routed by the same means. Meanwhile the right wing was not less successful: the enemy, confident of success, met gen. Dilkes on the ascent of the hill, and the contest was sanguinary; but the undaunted perseverance of the brigade of guards, of lieutenant-col. Browne's battalion, and of lieutenant-col. Norcott's and major Acheson's detachment, overcame every obstacle; and gen. Rufin's division was driven from the heights in confusion, leaving two pieces of cannon. No expressions of mine could do justice to the conduct of the troops throughout. Nothing less than the almost unparalleled exertions of every officer, the invincible bravery of every soldier, and the most determined devotion to the honour of his majesty's arms in all, could have achieved this brilliant success against such a formidable enemy so posted. In less than an hour and a half from the commencement of the action, the enemy was in full retreat. The retreating divisions met, halted, and seemed inclined to form: a new and more advanced position of our artillery quickly dispersed them. The exhausted state of the troops made pursuit impossible. A position was taken on the eastern side of the hill; and we were strengthened on our right by the return of the two Spanish battalions that had been attached before to my division, but which I had left on the hill, and which had been ordered to retire. These battalions (Walloon guards and Ciudad Real) made every effort to come back in time, when it was known that we were engaged. I understand, too, from gen. Whittingham, that with three squadrons of cavalry he kept in check a corps



of infantry and cavalry that attempted to turn the Barrosa height by the sea. One squadron of the 2d hussars, king's German legion, under capt. Busche, and directed by lieutenant-col. Ponsonby, (both had been attached to the Spanish cavalry,) joined in time to make a brilliant and most successful charge against a squadron of French dragoons, which was entirely routed. An eagle, six pieces of cannon, the general of division Rufin, and the general of brigade Rousseau, wounded and taken; the chief of the staff, general Bellegrade, an aide-de-camp of marshal Victor, and the colonel of the 8th regiment, with many other officers, killed, and several wounded and taken prisoners; the field covered with the dead bodies and arms of the enemy, attest that my confidence in this division was nobly repaid. Where all have so distinguished themselves, it is scarcely possible to discriminate any as the most deserving of praise. Your lordship will, however, observe how gloriously the brigade of guards, under brig.-gen. Dilkes, with the commanders of the battalions, lieutenant-col. the hon. C. Onslow, and lieutenant-col. Sebright wounded, as well as the three separated companies under lieutenant-col. Jackson, maintained the high character of his majesty's household troops. Lieutenant-col. Browne, with his flank battalion, lieutenant-col. Norcott, and major Acheson, deserve equal praise. And I must equally recommend to your lordship's notice col. Wheatly, with col. Belson, lieutenant-col. Prevost, and major Gough, and the officers of the respective corps composing his brigade. The animated charges of the 87th regiment were most conspicuous; lieutenant-col. Barnard (twice wounded), and the officers of his

flank battalion, executed the duty of skirmishing in advance with the enemy in a masterly manner, and were ably seconded by lieutenant-col. Bushe, of the 20th Portuguese, who (likewise twice wounded) fell into the enemy's hands, but was afterwards rescued. The detachment of this Portuguese regiment behaved admirably throughout the whole affair. I owe too much to major Duncan, and the officers and corps of the royal artillery, not to mention them in terms of the highest approbation; never was artillery better served. The assistance I received from the unwearied exertions of lieutenant-col. Macdonald, and the officers of the adjutant-general's department, of lieutenant-col. the hon. C. Cathcart, and the officers of the quarter-master general's department, of capt. Birch and capt. Nicholas, and the officers of the royal engineers, of capt. Hope, and the officers of my personal staff, (all animating by their example) will ever be most gratefully remembered. Our loss has been severe: as soon as it can be ascertained by the proper return, I shall have the honour of transmitting it; but much as it is to be lamented, I trust it will be considered as a necessary sacrifice for the safety of the whole allied army. Having remained some hours on the Barrosa heights, without being able to procure any supplies for the exhausted troops, the commissariat mules having been dispersed on the enemy's first attack of the hill, I left major Ross, with the detachment of the 9d battalion of the 95th, and withdrew the rest of the division, which crossed the Santi Petri river early the next morning. I cannot conclude this dispatch without earnestly recommending to his majesty's gracious notice for promotion,

motion, brevet lieut.-col. Browne, major of the 28th foot, brevet lieut.-col. Norcott, major of the 95th, major Duncan, royal artillery, major Gough of the 87th, major the hon. E. Acheson of the 67th, and capt. Birch of the royal engineers, all in the command of corps or detachments on this memorable service; and I confidently trust that the bearer of this dispatch, capt. Hope, (to whom I refer your lordship for further details,) will be promoted, on being permitted to lay the eagle at his majesty's feet.

THOMAS GRAHAM, lieut.-gen.

28. The report of the select committee on the state of commercial credit has been printed. We have only room to state its principal heads:—The committee find, that the statements of the cotton manufacturers in Glasgow and Paisley, complaining of distress, are founded in fact.—That the principal part of this distress had arisen from excessive speculation at the opening of the South American markets.—That there was no want of disposition in the Scotch banks to afford accommodation.—That great distress was also felt among the importers of produce from the West Indies and South America, the returns from the former of which came home, in great part, in sugars and coffee, not immediately convertible into money.—The great extent to which the system of warehousing the goods of foreigners had arisen, is also assigned by the committee as another cause of the distress.—To relieve this, the committee recommend an issue of exchequer bills, as in 1793; the amount not to exceed six millions, and to be repaid in four instalments—the first in January next, and the rest at three, six, and nine months.

## APRIL.

### FRANCE.

2. On the 20th ult. Maria Louisa, the wife of Bonaparte, was delivered of a son, at Paris, who immediately received the title of King of Rome.

The Moniteur of the 20th ult. contains an abject and fulsome address from the late Hanseatic cities. They state, that they have always been French in their hearts through affection; and that they rejoice in the annexation of their cities to the French empire, principally because it affords them an opportunity of showing it without constraint.—Bonaparte tells them in his reply, that he hopes soon to witness the zeal and valour of their seamen; and declares (referring to the war with this country) that the Berlin and Milan decrees are the fundamental laws of his empire; and that when he is once, possessed of 100 ships of the line, he will compel England in a few campaigns to sue to him for peace.

Several instances having recently occurred in Paris, and in the provinces, of persons concealing the sex of their children to evade the conscription law, a decree has been issued, ordering all nurses, midwives, and physicians, to enter in a register kept by the prefect, the names of those whom they deliver, with the sex of the infant, age, &c. The lowest penalty for neglect is 200 francs, besides discretionary imprisonment.

4. We have received an account of the temporary abdication of the reigning king of Sweden; and of the elevation of the crown prince (Bernadotte) to power under certain restrictions. The following is an abstract of the royal proclamation, which is dated March 17:—

(C 3)

"We

"We Charles, &c. make known, Whereas, owing to an illness that has befallen us, and from which, by the assistance of the Almighty, we hope soon to be restored, we have deemed it necessary, for the present, to withdraw ourselves from the care and trouble which are so closely united with the management of public affairs; and in order, during our illness, not to retard the progress of affairs, we have thought fit to order what is to be observed respecting the government. And we do, therefore, hereby appoint and nominate our beloved son, his royal highness Carl Johan crown prince of Sweden, and generalissimo of our military forces by land and sea, during our illness, and until we shall be restored to health, to manage the government in our name and with all the rights we possess, and alone to sign and issue all orders, &c. with the following motto above the signature:—'During the illness of my most gracious king and lord, and agreeable to his appointment.' However, his royal highness the crown prince must not, during the administration of our royal power and dignity, create any noblemen or knights; and the vacant offices of the states can only, until further notice, be managed by those whom his royal highness shall appoint to that effect."

## RUSSIA.

Since Bonaparte has lost the opportunity of sending those who were obnoxious to him to Cayenne, he has obtained permission of Alexander to forward them to Siberia: and it is affirmed that in the course of 15 months, more than 60 French reformers have been sent to Kamtschatka.

## LONDON GAZETTE EXTRAORDINARY.

*Downing-street, April 6.*

Captain Camac arrived with dispatches from viscount Wellington to the earl of Liverpool, dated Villa Seca, 14th, and Louzao, 16th ult. of which the following are extracts:

*Villa Seca, March 14.*

The enemy retired from their position which they had occupied at Santarem and the neighbourhood, in the night of the 5th inst. I put the British army in motion to follow them on the morning of the 6th. Their first movements indicated an intention to collect a force at Thomar, and I therefore marched upon that town, on the 8th, a considerable body of troops, formed of a part of marshal sir W. Beresford's corps, under major-gen. the hon. W. Stewart, which had crossed the Tagus at Abrantes, and afterwards the Zezere, and of the 4th and 6th, and part of the 1st divisions of infantry, and two brigades of British cavalry. The enemy, however, continued his march towards the Mondego, having one corps, the 2d, on the road of Espinhel; gen. Loison's division on the road of Anciao, and the remainder of the army towards Pombal. These last were followed and never lost sight of by the light division and the royal dragoons and the first hussars, who took from them about 200 prisoners.

On the 9th, the enemy collected in front of Pombal the 6th corps, with the exception of gen. Loison's division, the 8th corps and the 9th corps, and gen. Montbrun's division of cavalry. The hussars, which, with the royal dragoons and light division, were immediately in front of the enemy's army, distinguished themselves in a charge which

which they made on this occasion, under the command of col. Arenschildt. A detachment of the 16th light dragoons under lieut. Weyland, which had been in observation of the enemy near Leyria, made prisoners a detachment, consisting of 30 dragoons, on that morning; and had followed the enemy from Leyria, and arrived on the ground just in time to assist their friends the hussars in this charge. I could not collect a sufficient body of troops to commence an operation upon the enemy till the 11th. On that day, the 1st, 3d, 4th, 5th, and 6th, and the light divisions of infantry, and gen. Pack's brigade, and all the British cavalry, joined upon the ground immediately in front of the enemy, who had commenced their retreat from their position during the night. They were followed by the light division, the hussars and royals, and brig.-gen. Pack's brigade under the command of maj.-gen. sir W. Erskine and maj.-gen. Slade, and made an attempt to hold the ancient castle of Pombal, from which they were driven; but the 6th corps and gen. Montbrun's cavalry, which formed the rear guard, supported by the 8th corps, held the ground on the other side of the town, the troops not having arrived in time to complete the dispositions to attack them before it was dark. Upon this occasion, lieut.-col. Elder's battalion of Portuguese caçadores distinguished themselves. The enemy retired in the night; and on the 12th, the 6th corps, with gen. Montbrun's cavalry, took up a strong position at the end of a defile between Redinha and Pombal, with their right in a wood upon the Soure river, and their left extending towards the high ground above the river of Redinha. This

town was in their rear. I attacked them in this position on the 12th, with the 3d and 4th light divisions of infantry, and brig.-gen. Pack's brigade, and the cavalry, the other troops being in reserve. The post in the wood upon their right was first forced by sir W. Erskine with the light division. We were then able to form the troops in the plain beyond the defile: and the 3d division under major-general Picton were formed in two lines in the skirts of the wood, upon the right; the 4th division under major-gen. Cole, in two lines in the centre, having gen. Pack's brigade supporting their right, and communicating with the 3d division; and the light division in two lines on the left. These troops were supported in the rear by the British cavalry; and the 1st, 5th, and 6th divisions were in reserve. The troops were formed with great accuracy and celerity, and lieut.-gen. sir B. Spencer led the line against the enemy's position on the heights, from which they were immediately driven, with the loss of many men killed and wounded, and some prisoners. Maj.-gen. sir W. Erskine particularly mentioned the conduct of the 52d regiment, and col. Elder's caçadores, in the attack of the wood; and I must add, that I have never seen the French infantry driven from a wood in a more gallant style. There was but one narrow bridge, and a ford close to it, over the Redinha river, over which our light troops passed with the enemy: but as the enemy commanded these passages with cannon, some time elapsed before we could pass over a sufficient body of troops to make a fresh disposition to attack the heights on which they had again taken post. The 3d division crossed, however, and manœuvred a-

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gain upon the enemy's left flank, while the light infantry and cavalry, supported by the light division, drove them upon their main body at Condeixa. The light infantry of maj.-gen. Picton's division, under lieut.-col. Williams, and the 4th caçadores, under col. de Regoa, were principally concerned in this operation. We found the whole army yesterday, with the exception of the second corps, which was still at Espinhel, in a very strong position at Condeixa; and I observed, that they were sending off their baggage by the road of Ponte de Marcella. From this circumstance I concluded that col. Trant had not given up Coimbra, and that they had been so pressed in their retreat that they had not been able to detach troops to force him from the place. I therefore marched the 3d division under maj.-gen. Picton through the mountains upon the enemy's left, towards the only road opened for their reception, which had the immediate effect of dislodging them from the strong position of Condeixa; and the enemy encamped last night at Cazal Nova in the mountains, about a league from Condeixa. We immediately communicated with Coimbra, and made prisoners a detachment of the enemy's cavalry which were upon the road. We found the 6th and 8th corps formed in a very strong position near Cazal Nova this morning, and the light division attacked and drove in their outposts: but we could dislodge them from their positions only by movements on their flanks. Accordingly I moved the 4th division under maj.-gen. Cole upon Panella, in order to secure the passage of the river Esa, and the communication with Espinhel, near which place maj.-gen. Nightingall had been in

observation of the movements of the 2d corps since the 10th; and the 3d division under maj.-gen. Picton, more immediately round the enemy's left, while the light division and brig.-gen. Pack's brigade, under maj.-gen. sir W. Erskine, turned their right; and maj.-gen. Alexander Campbell, with the 6th division, supported the light troops by which they were attacked in front. These troops were supported by the cavalry, and by the 1st and 5th division; and col. Ashworth's brigade in reserve. These movements obliged the enemy to abandon all the positions which they successively took up in the mountains; and the two corps d'armée, composing the rear guard, were flung back upon the main body at Miranda de Corvo, upon the river Esa, with considerable loss of killed, wounded, and prisoners. In the operations of this day, the 43d, 52d, and 95th regiments, and 3d caçadores, under the command of cols. Drummond and Beckwith, and maj. Patrickson, lieut.-col. Ross, and majors Gilmour and Stewart, particularly distinguished themselves; as also the light infantry battalions of gen. Picton's division under lieut.-col. Williams, and the 4th caçadores under col. de Regoa, and the troops of horse-artillery under the command of caps. Ross and Bull. The result of these operations has been, that we have saved Coimbra and Upper Beira from the enemy's ravages, and we have opened the communications with the northern provinces, and we have obliged the enemy to take for their retreat the road by Ponte de Murcella, in which they may be annoyed by the militia acting in security upon their flank, while the allied army will press upon their rear. The whole country,

country, however, affords many advantageous positions to a retreating army, of which the enemy have shown that they know how to avail themselves. They are retreating from the country as they entered it, in one solid mass; covering their rear on every march by the operations of either one or two corps d'armée, in the strong positions, which the country affords; which corps d'armée are closely supported by the main body. Before they quitted their position, they destroyed a part of their cannon and ammunition; and they have since blown up whatever the horses were unable to draw away. They have no provisions, excepting what they plunder on the spot; or, having plundered, what the soldiers carry on their backs; and live cattle. I am concerned to be obliged to add to this account, that their conduct throughout this retreat has been marked by a barbarity seldom equalled, and never surpassed. Even in the towns of Torres, Novas, Thomar, and Pernes, in which the head-quarters of some of the corps had been for four months, and in which the inhabitants had been induced by promises of good treatment to remain, they were plundered, and many of their houses destroyed on the night the enemy withdrew from their position; and they have since burnt every town and village through which they have passed. The convent of Alcobaca was burnt by order from the French head-quarters. The bishop's palace and the whole town of Leyria, in which gen. Drouet had had his head-quarters, shared the same fate; and there is not an inhabitant of the country of any class or description who has had any dealing or communication

with the French army, who has not had reason to repent of it, and to complain of them. This is the mode in which the promises have been performed, and the assurances have been fulfilled, which were held out in the proclamation of the French commander-in-chief; in which he told the inhabitants of Portugal, that he was not come to make war upon them, but with a powerful army of one hundred and ten thousand men to drive the English into the sea. It is to be hoped that the example of what has occurred in this country will teach the people of this and of other nations what value they ought to place on such promises and assurances, and that there is no security for life or for any thing which renders life valuable, excepting in decided resistance to the enemy. I have the honour to inclose returns of killed and wounded in the several affairs with the enemy since they commenced their retreat. I have received the most able and cordial assistance throughout these operations from lieut.-gen. sir Brent Spencer and marshal sir W. Beresford, whom I requested to cross the Tagus, and who has been with me since the 11th instant; from major-gens. sir William Erskine, Picton, Cole, and Campbell; major-gen. Slade and maj.-gen. the hon. C. Colville, and the general and other officers commanding brigades under their orders respectively. I am particularly indebted to the quarter-master-gen. col. Murray for the assistance I have received from him, and the dep. adj.-gen. the hon. col. Pakenham, and the officers of the adjutant and quarter-master general's departments; as also to those of my personal staff, who have given me every assistance in

in their power. I am sorry to inform your lordship that Badajos surrendered on the 11th inst.

*Louzaos, March 16.*

Maj.-gen. Cole joined maj.-gen. Nightingall at Espinhel on the afternoon of the 14th; and this movement, by which the Esa was passed, and which gave us the power of turning the strong position of Miranda de Corvo, induced the enemy to abandon it on that night. They destroyed at this place a great number of carriages, and buried and otherwise destroyed or concealed the ammunition which they had carried; and they likewise burnt much of their baggage; and the road throughout the march from Miranda is strewn with the carcasses of men and animals, and destroyed carriages and baggage. We found the enemy's whole army yesterday in a very strong position on the Ceira, having one corps as an advanced guard in front of Foy d'Aronce on this side of the river. I immediately made arrangements to drive in the advanced guard, preparatory to the movements which it might be expedient to make to cross the Ceira this morning. Brig.-gen. Pack's brigade had been detached in the morning through the mountains to the left, as well to turn the enemy in his position at Miranda de Corvo, as in view to any others they might take up on this side of the Ceira. The light division, under maj.-gen. sir W. Erskine, was ordered to possess some heights immediately above Foy d'Aronce, while major-gen. Picton's division was moved along the great road to attack the left of the enemy's position and of the village. The 6th division under maj.-gen. Campbell, and the hus-sars and 16th light dragoons, sup-

ported the light division, and the 1st division and the 14th and royal dragoons, the third. These movements succeeded in forcing the enemy to abandon his strong positions on this side of the Ceira, with considerable loss. The colonel of the 39th regiment was made prisoner. The light troops of gen. Picton's division under lieutenant-col. Williams, and those of maj.-gen. Nightingall's brigade, were principally engaged on the right, and the 95th regiment in front of the light division; and these troops behaved in the most gallant manner. The horse artillery, likewise, under capt. Ross and Bull, distinguished themselves on this occasion. The troops took much baggage and some ammunition carriages in Foy d'Aronce. I had been prevented from moving till a late hour in the morning by the fog; and it was dark by the time we gained possession of the last position of the enemy's advanced guard. In the night, the enemy destroyed the bridge on the Ceira, and retreated, leaving a small rear-guard on the river.

*Foreign Office, April 6.*

A dispatch was received this morning by the marquis Wellesley from Charles Stuart, esq. his majesty's minister at Lisbon, of which the following is an extract:

*"Lisbon, March 23.*

"The army of gen. Massena continues to retreat towards the frontier, and every march is facilitated by the abandonment of wounded, and the destruction of baggage and whatever can encumber their movement. They attempted during the 18th and 19th to make a stand in the Sierra de Moita, but were driven from that position with the loss of 600 prisoners on the 19th. On the 21st they

they reached Galiza. The British head-quarters were at Pombeiro on the 11th, and at Algazil on the 20th. The cavalry and light troops continued in sight of the French rear-guard, and the movement of the allied army along the skirts of the Estrella, which flank the positions in the valley of the Mondego, promises new impediments to their retreat. The accounts from the frontier of Spanish Estremadura state, that the greater part of the French force which came from Andalusia has returned to that province. Marshal Soult moved in the middle of the month towards Seville, at the head of 4000 infantry and 1500 cavalry. No considerable force has been left in the town of Badajos. The siege of Campo Major continued during the 19th, 20th, and 21st. A breach having been effected, the place capitulated on the morning of the latter day. The garrison, in number about 250 militia, have remained prisoners of war. The French force before the place consisted of 4000 infantry and 500 cavalry. The advanced guard of marshal Beresford reached Portalegre on the 20th, where that officer was expected on the following day."

The following are interesting particulars of the gallant action at Barrosa:

"Our fellows had marched 22 miles that day, and were just taking some refreshment, when a peasant came to general Graham, and told him the French were coming round a wood to surprise him; on which gen. Graham formed his little army with admirable precision. When the enemy appeared in sight, gen. Graham rode up in front of the guards, 87th regiment, German legion, and Portuguese cavalry, and waving his hat, said, 'Now,

my lads, there they are—spare your powder, but give them steel enough.' On which the column gave three cheers, and, as the French neared them, gave their volley, and made so animated a charge, that in an hour the enemy were put *hors du combat*, and, with the prompt assistance of the rifle corps and other British regiments, dispersed in all directions."

In the late brilliant action at Barrosa, the fire was hotter than ever remembered by the oldest soldier; scarcely an officer escaping without some mark of shot. Gen. Graham was himself pierced in the coat in two places; so was his aide-de-camp captain James Hamilton Stanhope, of the guards. Lieut.-col. Norcott of the 95th regiment, gen. Dilkes, cols. Wheatley and Townsend of the guards had their horses shot under them; lieut.-col. Colquitt of the guards likewise was shot through the sleeve of his coat by a musket-ball, and a cannon-shot literally touched his saddle while he was in the act of dismounting to pass a ravine. Many others had similar escapes.

The cortes of Spain have unanimously decreed the thanks of the nation to gen. Graham, and have elected him grandee of Spain of the 1st class, "free of tribute," for the "astonishing bravery and discipline" manifested by his majesty's troops;—and a strict inquiry is to be made into the conduct of the Spanish general, who evidently appears, from gen. Graham's silence respecting him, not to have done his duty on the occasion. A letter from Cadiz, in corroboration of this opinion, says, "The Spaniards, to the number of 12,000 men, never fired a shot (except one regiment of cavalry, and one of infantry, who were with us),



us.) The rest never stirred out of the wood until all was over. They were three miles distant from the field of action, and were twice sent for to come and take their ground. Had they advanced in due time, the whole of the enemy's columns under marshal Victor would inevitably have been made prisoners."

20. Two houses in Ironmonger-row, Old-street, which, notwithstanding they were under repair, were crowded with inhabitants, fell down with a most tremendous crash, while the workmen were gone to dinner: by this disaster, we lament to say that ten persons were buried in the ruins, only six of whom were taken out alive. Those who met their death by this accident consisted of the wife and three children of Mr. Crewe, the occupier of the first house that fell; he was in the act of feeding one of his children, which was dug out from between his knees, dead! He was shortly after recovered from the ruins with only a few bruises. Mr. Crewe's mother, who was on a visit, was recovered, and taken with some others of the wounded sufferers to St. Bartholomew's hospital. The house in the occupancy of Mr. Watts, and which fell a few seconds after that of Mr. C. contained a great number of inmates, who being alarmed by the cracking of windows, providentially reached a place of safety. To add to the calamity of the survivors, the ruins were discovered to be on fire, and thus they have lost the whole of their furniture, clothing, &c. A subscription has been set on foot for their relief. The London militia, who were at the time exercising in the Artillery Ground, were immediately sent to aid the sufferers.

On Thursday a coroner's jury sat on the body of Mrs. Crewe and her three children; and after an investigation of upwards of two hours, returned a verdict of—*Accidental death*; and the coroner ordered a *deodand of one hundred pounds on the Ironmongers' company*, to whom the houses belonged. It appeared that these houses, with upwards of forty others in the same row, had been lately let by the company on *repairing leases*. They were built in the year 1713, and we hope, for the sake of humanity, the surveyors of the Ironmongers' company will order the whole of them without reserve to be pulled down.

*Canterbury, April 23.*

In the interval between the evening of Saturday last and Monday morning, the Union bank, belonging to the firm of Messrs. Baker and Co. in this city, was entered by some unknown means, and notes and cash to a very considerable amount stolen thereout. The circumstance was discovered about nine on Monday morning, when the chief clerk being about to proceed to the business of the day, found some obstruction in unlocking the iron door of one of the closets; and on further search it appeared that this, as well as another closet, had been opened and relocked, and that an iron chest which was fitted within-side of one of them had been forced open, apparently by wrenching the lid of it. This chest, besides the notes of the firm, contained also the receipts and transactions of the bank on Saturday, which it was customary to deposit there in the bulk till the Monday morning following: such, however, was the systematic method with which this robbery was effected,

effected, that the checks paid in the course of Saturday, and the bills not negotiable, were sorted and separated from the other notes, and such only taken as could be passed, consisting of bank of England and local and provincial notes; in addition to these, a gold watch: and, what it seems extraordinary that the thieves should have encumbered themselves with, the paper-moulds of the firm were also taken.—One hundred *l.* notes of the firm luckily escaped attention; and a pearl necklace of very considerable value, which was contained in a small leather trunk, although the lock of the same was forced off, was also left. How an entrance was obtained into the bank is uncertain, as no violence appeared to have been used to the lock of the outer door; but it would seem that the locks of the iron doors had been picked and re-locked, one of the wards having been twisted off in the act, and a piece of a small steel saw, which had been broken, was also left behind. A reward of 200*l.* is offered for the discovery of the offenders; but as yet we understand no clue that can lead to so desirable an end has been ascertained.

#### DREADFUL FIRE.

24. The following are particulars of the dreadful fire at Mr. Goullie's pork-shop, corner of Half-Moon-street, Bishopsgate-street. The moment the flames burst forth in the lower apartments, the alarm of fire was given from without by some passengers; but such progress had the fire made, that it was too late to save the lives of most of the devoted inhabitants. The family consisted of Mr. Goullie, his wife, three children, the nurse, a maid-servant, shop-boy, and a

waiter at the London Tavern and his wife, who were lodgers in the first floor. The two latter only were awakened by the noise, and they had the good fortune to escape with their bed to the window of the first floor, which they threw on the pavement for the purpose of throwing themselves upon it. The wife first made a leap, and falling on the bed, did not receive the least injury; her husband, who instantly followed her, was not so fortunate; he came in contact with a hook, which tore his leg in a dreadful manner, but from bruises he suffered no material injury. Of the rest of the family nothing was seen; but the populace heard at intervals their cries, and this was but for a short time, for the floor giving way, the whole of the unfortunate family perished in the burning ruins. The Union fire-engine was the first on the spot and began to play, and being shortly supported by others, the conflagration was prevented from extending further than the premises where the fire commenced. As soon as day-light appeared, the remains of the unfortunate sufferers were searched for in the ruins, and in the course of the day they were all found, except the maid-servant and the boy, and conveyed to Bishopsgate workhouse. The youngest child was only a month old, and the nurse who attended Mrs. Goullie was one of the unhappy sufferers. It is remarkable, that from the commencement to the termination of the fire, there was not a single ladder brought by the persons who were attracted to the spot by the alarm.

*Coroner's Inquest.*—An inquest was held on Monday evening on the bodies of Mr. and Mrs. Goullie, Peter and William, two of their

their male children, a female infant only a month old, Martha Courtney, a nurse, and James Shore, an apprentice to Mr. Goullie, who met their death by the dreadful fire on Saturday. The jury having been sworn, proceeded to Bishopsgate workhouse, to examine the bodies, which were disposed in shells for that purpose. A more dreadful or more harrowing scene was scarcely ever exhibited to a jury. The human form was but barely discernible, and from the contortions to be observed in their mutilated frames, it was evident that some of them had expired in the most poignant agonies. This painful task over, the jury returned to the White Hart, where several witnesses were examined touching the origin of the horrid catastrophe. The only one whose evidence threw any new light upon the subject, was Susannah Creed, the wife of a waiter at the London Tavern, who lodged on the first floor. She stated that she had supped with Mrs. Goullie the night before the fire, and that she and her husband went to-bed at half-past ten o'clock. She was awoke about two o'clock by a loud cracking. She immediately got up and opened the chamber door, when to her consternation she saw a volume of flame ascending the stairs. She wanted to run up stairs to alarm the family, but her husband prevented her; and throwing a feather-bed out of the window, she jumped upon it, and was shortly afterwards followed by her husband. In addition to the persons already named as having fallen victims to this dreadful visitation, she said there was a servant maid, named Martha Byron, whose remains have not yet been found. On being questioned

as to the probable cause of the fire, she said that the family were in the habit of leaving a large fire in the parlour to dry their clothes, which they generally washed once a week. They also occasionally left a fire under a copper in the wash-house, which was used to boil hams and other meat for sale in the shop. To these sources only could she attribute the origin of the flames. The coroner having summed up the evidence, the jury returned a verdict of—Died by accidental fire.

## MAY.

### PENAL LAWS.

1. An afflicting detail has been laid on the table of the house of commons in consequence of the humane endeavours of sir Samuel Romilly to modify our penal laws. It is a return of the number of commitments for trial in the years 1805-6-7-8, and 1809, distinguishing the crimes, the convictions, and the sentences. In London and Middlesex alone, it appears that the numbers were:—

	Committed.	Indicted.	Convicted.
1805 -	980	951	588
1806 -	899	835	475
1807 -	1017	980	542
1808 -	1110	1074	619
1809 -	1242	1197	760

In this melancholy table, the gradual increase of crimes and convictions for the last three years is very remarkable; and we fear that the evil may be traced to the pressure of the times; for we observe that it is under the head of *larceny* that the increase of crimes is chiefly to be found.

To give an idea of the number of commitments, trials, and convictions for all England, we subjoin the return for the year 1809:—  
Home

	Committed.	Indicted.	Convicted.	Executed.
Home circuit.....	368	392	205	17
Oxford ditto.....	269	262	154	2
Western ditto.....	267	253	152	4
Midland ditto.....	223	214	134	4
Norfolk ditto.....	121	118	70	3
Northern ditto.....	108	98	49	7
North Wales ditto .	1	1	—	—
Brecon ditto.....	10	10	5	—
Carmarthen ditto ..	18	15	4	—
Lancashire ditto ..	105	96	52	13
Durham ditto ....	8	5	2	—
London & Middlesex } Sess.	12+2	1197	750	7
	<u>2740</u>	<u>2601</u>	<u>1577</u>	<u>50</u>

## LORD NELSON'S MONUMENT.

The statue erected in Guildhall to this distinguished commander was exposed on Saturday the 27th ult. to public view. The following inscription appears on the tablet; it is from the pen of Mr. Sheridan.

To HORATIO VISCOUNT AND BARON NELSON,  
Vice-admiral of the White, and Knight of the Most Honourable Order of the Bath;

A man amongst the few who appear at different periods to have been created

To promote the grandeur and add to the security of Nations;

Inciting by their high example their fellow mortals, through all succeeding times,

To pursue the course that leads to the exaltation of our imperfect nature.

PROVIDENCE, that implanted in NELSON's breast an ardent passion for renown,

As bounteously endowed him with the transcendent talents

Necessary to the great purposes he was destined to accomplish.

At an early period of life he entered into the naval service of his country;

And early were the instances which marked the fearless nature and enterprise of

His character; uniting to the loftiest spirit, and the justest title to self-confidence,  
A strict and humble obedience to the sovereign rule of discipline and subordination.

Rising by due gradation to command, he infused into the bosoms of those he led,  
The valorous ardour and enthusiastic zeal for the service of his King and Country,

Which animated his own;

And while he acquired the love of all by the sweetness and moderation of his temper,

He inspired an universal confidence in the never-failing resources of

His capacious mind.

It will be for history to relate the many great exploits through which,  
Solicitous of peril, and regardless of wounds, he became the glory of his profession!

But it belongs to this brief record of his illustrious career, to say,

That he commanded and conquered at the Battles of the NILE and COPENHAGEN,  
Victories never before equalled; yet afterwards surpassed by his own last achievement,

The Battle of TRAFALGAR!

Fought on the 21st of October in the year 1805.

On that day, before the conclusion of the action, he fell, mortally wounded:

But the sources of life and sense failed not, until it was known to him that,

The destruction of the enemy being completed,

The glory of his country and his own had attained their summit.

Then laying his hand on his brave heart, with a look of exalted resignation

To the will of the Supreme Disposer of the fate of man and nations,

He expired.

The Lord Mayor, Aldermen, and Common Council of the City of London

Have caused this Monument to be erected,

Not in the presumptuous hope of sustaining the departed Hero's memory,

But to manifest their estimation of the Man, and their admiration of his deeds.

This testimony of their gratitude, they trust, will remain as long as their own renowned  
City shall exist.

The period to NELSON's Fame can only be THE END OF TIME!

An occurrence has taken place at Newmarket which is the subject of general conversation and surprise among the frequenters of the turf. Several horses were entered for the Claret Stakes, and, as usual, were taken out in the morning for exercise.—They all drank, as we understand, at one watering-trough. Some time after they had been watered, six of them were observed to stagger, and then to roll about in the greatest agony. One, we hear, is dead. On examining the water-trough, it was found that the water had been poisoned. The horses were the property of Mr. Sitwell, sir F. Standish, and lord Kinnaird. Suspicion has attached upon one of the jockeys. A large reward has been offered for the discovery of the perpetrator of this infamous deed.

*“Newmarket, May 3.*

“We are all here in the highest degree of indignation and astonishment. Six noble animals that were to run for the stakes were poisoned yesterday morning. The poison was administered in their watering-troughs, and the poor creatures, about two hours after drinking, were found in the most dreadful state of agony, kicking, tumbling, and rolling on the ground in the most furious manner. This horrible act was done of course with a view to prevent their running for the stakes. Of the six horses, one, Pirouette, the property of lord Foley, is since dead. I hear the horses belonged chiefly to lord Foley, Mr. Sitwell, and lord Kinnaird.”

9. The foundation-stone of the new bridge at Millbank was laid this day, by lord Dundas, as proxy of his R. H. the prince regent. In a cavity of the stone was placed, with the customary ceremonies, a

glass case, containing gold, silver, and copper coins, with an engraved plate recording the event. The new work was afterwards named “The Regent’s Bridge,” and the ceremony concluded, as it had begun, by a salute of 21 guns. The unfavourable state of the weather prevented the inclosure being filled. We understand the bridge will be built externally of Scotch granite, and the ornaments and finishings of Portland stone. It will be a straight bridge, like those of antiquity, and will consist of seven arches; the central one of 110 feet span, and others diminishing in size to 90 feet at the ends. The water-way will be 702 feet, and the whole extent 920 feet. It will take about five years in completion.

11. A few days ago an unfortunate chimney-sweeper’s boy, aged 12 years, was employed to sweep a chimney in Wakefield, which communicated by a flue with the fire of a neighbouring house. While the youth was in the chimney, the soot from the fire broke out into a flame, which, spreading upwards, scorched the poor fellow so dreadfully, that he fell down to the bottom, his flesh being completely burnt from his toes to his chin; but though in that deplorable state, he survived in excruciating pain for five days, when he expired.—The coroner’s jury could not agree in their verdict, but consented to submit the case to the consideration of the magistrates.

12. About five o’clock in the afternoon, a destructive phenomenon appeared at Bonsall, in the Peak of Derbyshire. A singular motion was observed in a cloud, of a serpentine form, which moved in a circular direction from S. by W. to N. extending itself to the ground. It began its operations near

near Hopton, and continued its operations about five or six miles in length, and about four or five hundred yards in breadth, tearing up plantations, levelling barns, walls, and miners' cots. It tore up large ash-trees, carrying them from 20 to 80 yards; and twisted the tops from the trunks, conveying them 50 to 100 yards distance. Cows were lifted from one field to another, and injured by the fall; miners' buddle tubs, wash vats, and other materials, carried to a considerable distance, and forced into the ground. This was attended with a most tremendous hail-storm; stones and lumps of ice were measured from nine to twelve inches in circumference.

The duke of Devonshire has inclosed the principal part of his mountain estate round Buxton, on which he has erected several farm-houses, and other appropriate buildings, to the great improvement of a country that for centuries had remained in a desert and barren state.

*Burdett v. Abbott.*

17. The attorney-general proceeded at great length in his argument on the demurrer; to which Mr. Holroyd replied.—Lord Ellenborough then said, that he had not the shadow of a doubt as to the great features of the question, and he thought the justification satisfactory:—1st, The right to commit was authorised by reason and law.—2d, The warrant followed the order, and the order was conformable to the power.—3d, The outer door might be broken open for contempt of an inferior court, and it certainly might be so where public benefit was concerned. Mr. justice Grose and Mr. justice Bailey concurred entirely in opinion with the chief justice. Mr. justice

1811.

Le Blanc was absent through ill health.—*Judgement of the court in favour of the Speaker.*

18. Twelve standards and colours taken from the enemy on different occasions, including the French eagle taken by the 87th regiment at the battle of Barrosa, were carried with military ceremonies from the parade in St. James's park to Whitehall chapel, and deposited on each side of the altar. The spectacle, which was one of the finest ever witnessed, was attended by the dukes of York and Cambridge, sir D. Dundas, generals Hope, Doyle, Calvert, and Phipps, and the Spanish and Portuguese ministers, besides a number of ladies of distinction.

*Admiralty-Office, May 18.* Sir Charles Cotton, bart. commander in chief of his majesty's ships and vessels in the Mediterranean, transmits the following account of a most brilliant affair, from Capt. Hoste:

*Amphion, off the Isle of Lissa, March 14.*

Sir,—It is with much pleasure I have to acquaint you, that after an action of six hours we have completely defeated the combined French and-Italian squadrons, consisting of five frigates, one corvette, one brig, two schooners, one gun-boat, and one xebec. The force opposed to them was his majesty's ship *Amphion*, *Cerberus*, *Active*, and *Volage*. On the morning of the 13th the *Active* made the signal for a strange fleet to windward, and day-light discovered to us the enemy's squadron lying to off the north point of the island of Lissa: the wind at that time was from the north-west, a fine breeze. The enemy having formed in two divisions, instantly bore down to attack

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us under all possible sail. The British line, led by the *Amphion*, was formed by signal in the closest order on the starboard tack to receive them. At nine A. M. the action commenced by our firing on the headmost ships as they came within range: the intention of the enemy appeared to be to break our line in two places; the starboard division, led by the French commodore, bearing upon the *Amphion* and *Active*, and the larboard division on the *Cerberus* and *Volage*: in this attempt he failed (though almost aboard of us), by the well-directed fire and compact order of our line. He then endeavoured to round the van ship, to engage to leeward, and thereby place us between two fires; but was so warmly received in the attempt, and rendered so totally unmanageable, that in the act of wearing he went on shore on the rocks of Lissa in the greatest possible confusion. The line was then wore to renew the action, the *Amphion* not half a cable length from the shore; the remainder of the enemy's starboard division passing under our stern, and engaging us at leeward, whilst the larboard division tacked, and remained to windward, engaging the *Cerberus*, *Volage*, and *Active*. In this situation the action commenced with great fury, his majesty's ships frequently in positions which unavoidably exposed them to a raking fire of the enemy, who with his superiority of numbers had ability to take advantage of it: but nothing, sir, could withstand the brave squadron I had the honour to command. At 20 minutes past 11 A. M. the *Flora* struck her colours, and at 12 the *Bellona* followed her example. The enemy to windward now endeavoured to make off, but were followed up as close as the

disabled state of his majesty's ships would admit of, and the *Active* and *Cerberus* were enabled at 3 P. M. to compel the sternmost of them to surrender, when the action ceased, leaving us in possession of the *Corona* of 44 guns, and the *Bellona* of 62 guns (the French commodore), the *Favorite* of 44 guns, on shore, which shortly after blew up with a dreadful explosion; the corvette of the enemy making all possible sail to the north-west, and two frigates crowding sail for the port of Lessina, the brig making off to the south-east, and the small craft flying in every direction; nor was it in my power to prevent them, having no ship in a state to follow. I must now account for the *Flora*'s getting away after having struck her colours. At the time I was engaged with that ship, the *Bellona* was raking us; and when she struck, I had no boat that could possibly take possession of her. I therefore preferred closing with the *Bellona* and taking her, to losing time alongside the *Flora*, which I already considered belonging to us. I call on the officers of my own squadron, as well as those of the enemy, to witness my assertion. The correspondence I have had on this subject with the French captain of the *Danaë* (now their commodore), and which I inclose herewith, is convincing; and even their own officers (prisoners here) acknowledge the fact. Indeed I might have sunk her, and so might the *Active*; but as the colours were down, and all firing from her had long ceased, both capt. Gordon and myself considered her as our own: the delay of getting a boat on board the *Bellona*, and the anxious pursuit of capt. Gordon after the beaten enemy, enabled him to steal off, till too late for our shattered

shattered ships to come up with him, his rigging and sails apparently not much injured; but by the laws of war I shall ever maintain he belongs to us. The enemy's squadron, (as per inclosed return,) was commanded by Mons. Dubourdien, capitaine de vaisseau, and a member of the legion of honour, who is killed. In justice to a brave man I must say, he set a noble example of intrepidity to those under him. They sailed from Ancona the 11th inst. with 500 troops on board, and every thing necessary for fortifying and garrisoning the island of Lissa. Thanks to Providence, we have this time prevented them. [Capt. Hoste concludes with acknowledging in handsome terms the services of capt. Gordon, Whitby, and Hornby; of sir D. Dunn, his first-lieutenant, who was wounded; of capt. Moore, of the royal marines; of first-lieuts. Dickenson, Henderson, and Woolridge, who had been reported to him by their respective captains as having greatly distinguished themselves; and generally of every officer, seaman, and marine, on board the squadron. Capt. Hoste was himself wounded in the arm, and received besides several severe contusions.]

The English squadron consisted of the *Amphion*, capt. Hoste, of 32 guns and 254 men; the *Active*, capt. Gordon, of 38 guns and 309 men; *Volage*, capt. Hornby, of 22 guns and 175 men; and *Cerberus*, capt. Whitby, of 32 guns and 254 men. Total 124 guns, 982 men, from which deduct 104, being ships short of complement.

The French squadron consisted of *La Favrite*, Mons. Dubourdien, commandant de division, capt. Delamalliere, of 44 guns and 350 men; burnt.—*Flora*, M. Peridier, capt.

of 24 guns and 350 men; struck, but escaped.—*Danaë*, of 44 guns and 350 men; escaped.—*Corona*, M. Pasquillago, capt. of 44 24-pounders and 350 men; taken.—*Bellona*, M. Dudon, capt. of 32 guns and 224 men; taken.—*Caroline*, M. Baratavick, capt. of 28 guns and 224 men; escaped.—*Principe de Augusta* brig, Bologne, capt. of 16 guns and 105 men; escaped.—*Schooner*, of 10 guns and 60 men; escaped.—*Schooner*, of 2 guns and 57 men; escaped.—*Xebec*, of 6 guns and 70 men; escaped.—*Gunboat*, of 2 guns and 35 men; escaped.—Troops embarked 500.—Total, 272 guns, 2,655 men.

A letter from Capt. Hoste here follows, addressed to Mons. Peridier, commandant of *La Flora* frigate, calling upon him to make restitution of that ship, she having struck to Capt. Hoste, who might have sunk her, had he not considered her as having surrendered. The answer purports to be written from on board the *Danaë* frigate, *Roads* of *Lessina*, denying the above fact; but having neither a date nor signature. Capt. Hoste hereupon returns the letter, appeals to Mons. Peridier and the English officers for the truth of his assertions.

Another letter from capt. Hoste, dated *Lissa*, March 15, states the surrender of the remainder of the French commodore's crew and troops, to the summons of Messrs. Lew and Kingston, two midshipmen of the *Active*, who had been left in charge of prizes at that port, and who afterwards recaptured a Sicilian privateer of 14 guns, which had struck to a 1-gun Venetian schooner. Capt. Hoste also mentions, that the *Corona* caught fire in the main-top shortly after her capture, but that the fire was, with great exertion, extinguished.

(D 2) A letter



A letter from admiral sir C. Cotton incloses the following :

*Cambrian, off Rosas, April 16.*

Sir,—I have great pleasure in sending to you by the Blossom the important intelligence of the surrender of Figueras to the Spaniards, on the 10th inst. and that St. Philion and Palamos were taken possession of by the Cambrian and Volontaire on the 12th and 14th, the guns all embarked and the batteries destroyed. I am now on my way to Rosas and Cadequis, and I have reason to hope the latter place, with Silva, will also shortly be ours.—The fall of Figueras has roused the Spaniards, who are arming in all directions, and Hestrich and Gerona are at this moment garrisoned by Spanish troops. The only correct account I can learn is, that 400 Italians, with 200 French troops, were left to protect Figueras; and that the former, disgusted with the treatment they daily receive from the French, and being also half-starved, opened the gates of the fortress to a body of Spanish troops (apprised of their intention), who rushed into the castle and put every Frenchman to the sword.—At this moment, about 2,000 effective Spanish troops are in full possession of this important place; and general Sarsfield is on his way with more, as well as supplies of every kind. The French general d'Hilliers, who has the command in Catalonia, on hearing of the fall of Figueras, has abandoned all his holds in Spain except Barcelona, and is collecting the whole of his force to attack it, as well as to prevent supplies from getting in; but I am told a quantity of provision was concealed in the town unknown to the French, which have been given up to the Spanish troops in the castle, who are in the highest

spirits possible. The Termagant continues to watch Barcelona; and I purpose remaining off here with the Volontaire ready for any thing that may offer, as, under all the existing circumstances, I think it likely Rosas may give up. I also beg to inform you that a large settee deeply laden with grain for Barcelona from port Vendce, was the night before last most handsomely cut out from under the Medes islands and batteries by the boats of this ship, led on by lieutenant Connolly, without a man being hurt. I beg leave to offer you my congratulations on the fall of Figueras, and the fair prospects it opens. I am, &c.,

CHARLES BULLEN.

P. S. Since writing the above, I spoke a small boat from Begar, which tells me that the French general had made a rash attempt to recover Figueras two days since, and lost seven hundred men.

22. This morning, about half-past two o'clock, the house belonging to Mr. Hastings, the sign of King Henry the Eighth, corner of White Lion and Great St. Andrew's streets, Seven Dials, fell down. The screams and cries of the inhabitants were dreadful, as most of them were buried under the ruins. In a short time about 500 persons surrounded the spot, many of whom set about digging the unfortunate persons from their perilous situation. An old man with an infant in his arms, dead, was the first shocking spectacle that presented itself. The most horrid groans were heard in the ruins: but in consequence of some timber stopping up the way, the bodies could not be got at for some time after. A young man unfortunately received the spade on his skull: he, with four others in a dreadfully mangled

gled state, were taken to the hospital. An old woman named Toogood, who lodged in the second-floor, being apprised of her danger, threw herself out at the window, by which she was so much hurt as to leave little hope of recovery. Mr. and Mrs. Hastings, who kept the house, escaped with some slight bruises, as the front of the house fell first, and their bedroom being backwards they had just time to get away.

An account laid before the house of commons states the total amount of gold moneys coined from the Revolution up to the commencement of his majesty's reign, at 26,959,725*l*.

*Downing-street, May 25.* The following dispatches were this day received, addressed to the earl of Liverpool by lieut.-gen. lord viscount Wellington, K. B.

*Villa Formosa, May 8.*

My lord,—The enemy's whole army, consisting of the 2d, 6th, and 8th corps, and all the cavalry which could be collected in Castille and Leon, including about 900 of the Imperial guards, crossed the Aguada at Ciudad Rodrigo on the 2d instant. The battalions of the 9th corps had been joined to the regiments to which they belonged in the other three corps, excepting a division, consisting of battalions belonging to regiments in the corps doing duty in Andalusia, which division likewise formed part of the army. As my object in maintaining a position between the Coa and the Aguada, after the enemy had retired from the former, was to blockade Almeida, which place I had learnt, from intercepted letters and other information, was ill-supplied with provisions for its garrison, and as the enemy were infinitely superior to us in cavalry, I

did not give any opposition to their march, and they passed the Azava on that evening, in the neighbourhood of Espeja, Carpio, and Gallegos. They continued their march on the 3d in the morning towards the Duas Casas, in three columns; two of them, consisting of the 2d and 8th corps, to the neighbourhood of Alameda and Fort Conception; and the third, consisting of the whole of the cavalry, and the 6th, and that part of the 9th corps which had not already been drafted into the other three. The allied army had been cantoned along the river Duas Casas, and on the sources of the Azava, the light division at Gallegos and Espeja. This last fell back upon Fuentes de Honor, on the Duas Casas, with the British cavalry, in proportion as the enemy advanced, and the 1st, 3d, and 7th divisions, were collected at that place; and the 6th division, under maj.-gen. Campbell, observed the bridge at Alameda; and maj.-gen. sir W. Erskine, with the 5th division, the passages of the Duas Casas, at Fort Conception and Aidea D'Obispo. Brig.-gen. Pack's brigade, with the queen's regiment from the 6th division, kept the blockade of Almeida; and I had prevailed upon Don Julian Sanchez to occupy Nave D'Aver with his corps of Spanish cavalry and infantry.—The light division were moved in the evening to join gen. Campbell; upon finding that the enemy were in strength in that quarter; and they were brought back again to Fuentes de Honor on the morning of the 5th, when it was found that the 8th corps had joined the 6th on the enemy's left. Shortly after the enemy had formed on the ground on the right of the Duas Casas, on the afternoon of the 3d they attacked, with a large

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force,

force, the village of Fuentes de Honor, which was defended in a most gallant manner by lieut.-col. Williams, of the 5th bat. 60th reg. in command of the light infantry battalions belonging to maj.-gen. Picton's division, supported by the light infantry battalion in maj.-gen. Nightingall's brigade, commanded by maj. Dick, of the 42d reg. and the light infantry battalion in maj.-gen. Howard's brigade, commanded by maj. Mc'Donnell, of the 92d reg. and the light infantry battalion of the king's German legion, commanded by maj. Ally, of the 3d battalion of the line, and by the 2d battalion of the 83d reg. under maj. Carr. These troops maintained their position; but having observed the repeated efforts which the enemy were making to obtain possession of the village, and being aware of the advantage which they would derive from the possession, in their subsequent operations, I re-inforced the village successively with the 71st reg. under the hon. lieut.-col. Cadogan, and the 79th, under lieut.-col. Cameron, and the 24th under maj. Chamberlain. The former, at the head of the 71st reg. charged the enemy, and drove them from the part of the village of which they had obtained a momentary possession. Nearly at this time lieut.-col. Williams was unfortunately wounded, (but I hope not dangerously,) and the command devolved upon lieut.-col. Cameron, of the 79th reg. The contest continued till night, when our troops remained in possession of the whole. I then withdrew the light infantry battalions and the 83d reg. leaving the 71st and 79th regiments only in the village, and the 2d batt. 24th reg. to support them. On the 4th the enemy reconnoitred the positions which

we had occupied on the Duas Casas river; and during that night they moved gen. Junot's corps from Alameda to the left of the position occupied by the 6th corps, opposite to Fuentes de Honor. From the course of the reconnoissance of the 4th, I had imagined that the enemy would endeavour to obtain possession of Fuentes de Honor, and of the ground occupied by the troops behind that village, by crossing the Duas Casas at Poya Velho; and in the evening I moved the 7th division, under maj.-gen. Houstoun, to the right, in order, if possible, to protect that passage. On the morning of the 5th, the 8th corps appeared in two columns, with all the cavalry, on the opposite side of the valley of the Duas Casas to Poya Velho; and as the 6th and 9th corps also made a movement to the left, the light division, which had been brought back from the neighbourhood of Alameda, was sent with the cavalry under sir Stapleton Cotton to support maj.-gen. Houstoun, whilst the 1st and 3d divisions made a movement to their right along the ridge between the Turon and Duas Casas rivers, corresponding to that of the 6th and 9th corps on the right of the Duas Casas. The 8th corps attacked maj.-gen. Houstoun's advanced guard, consisting of the 5th reg. under maj. McIntosh, and the 2d Portuguese Caçadores, under lieut.-col. Nixon, and obliged them to retire; and they retired in good order, although with some loss. The 8th corps being thus established in Poya Velho, the enemy's cavalry turned the right of the 7th division, between Poya Velho and Nave D'Aver, from which last place Don Julian Sanchez had been obliged to retire; and the cavalry charged.

charged. The charge of the advanced guard of the enemy's cavalry was met by two or three squadrons of the different regiments of British dragoons, and the enemy were driven back, and col. la Motte, of the 13th chasseurs, and some prisoners taken. The main body were checked, and obliged to retire by the fire of maj.-gen. Houstoun's division; and I particularly observed the chasseurs Britanniques, under lieutenant-col. Eustace, as behaving in the most steady manner; and maj.-gen. Houstoun mentions in high terms the conduct of a detachment of the duke of Brunswick's light infantry. Notwithstanding that this charge was repulsed, I was determined to concentrate our force towards the left, and to move the 7th and light divisions and the cavalry from Poya Velho towards Fuentes de Honor, and the other two divisions. I had occupied Poya Velho and that neighbourhood, in hopes that I should be able to maintain the communication across the Coa by Sabugal, as well as provide for the blockade, which objects, it was now obvious, were incompatible with each other, and I therefore abandoned the least important, and placed the light division in reserve, in rear of the left of the 1st division, and the 7th division on some commanding ground beyond the Turon, which protected the right flank and rear of the 1st division, and covered our communication with the Coa, and prevented that of the enemy with Almeida, by the roads between the Turon and that river. The movement of the troops on this occasion was well conducted, although under very critical circumstances, by maj.-gen. Houstoun, brig.-gen. Craufurd, and lieutenant-gen. sir Stapleton Cotton.

The 7th division was covered in its passage of the Turon by the light division under brig.-gen. Craufurd, and this last, in its march to join the 1st division, by the British cavalry. Our position thus extended on the high ground from the Turon to the Duas Casas. The 7th division, on the left of the Turon, covered the rear of the right; the 1st division, in two lines, were on the right; col. Ashworth's brigade, in two lines, in the centre; the 3d division, in two lines, on the left; the light division and British cavalry in reserve; and the village of Fuentes de Honor in front of the left. Don Julian's infantry joined the 7th division in Freneda; and I sent him with his cavalry to endeavour to interrupt the enemy's communication with Ciudad Rodrigo. The enemy's efforts on the right part of our position, after it was occupied as I have above described, were confined to a cannonade, and to some charges with their cavalry upon the advanced posts. The picquets of the 1st division, under lieutenant-col. Hill of the 3d reg. of guards, repulsed one of these; but as they were falling back, they did not see the direction of another in sufficient time to form to oppose it, and lieutenant-col. Hill was taken prisoner, and many men wounded and some taken, before a detachment of the British cavalry could move up to their support. The 2d batt. 42d reg. under lord Blantyre, also repulsed a charge of the cavalry directed against them. They likewise attempted to push a body of light infantry down the ravine of the Turon to the right of the 1st division; which were repulsed by the light infantry of the guards, under lieutenant-col. Guise, aided by five companies of the 95th, under capt. O'Hara. Maj.-gen. Nightingall

gall was wounded in the course of the cannonade, but I hope not severely.

The enemy's principal effort was throughout this day again directed against Fuentes de Honor; and notwithstanding that the whole of the 6th corps was at different periods of the day employed to attack this village, they could never gain more than a temporary possession of it. It was defended by the 24th, 71st, and 79th regiments, under the command of col. Cameron; and these troops were supported by the light infantry battalions in the 3d division, commanded by major Woodgate; the light infantry battalions in the 1st division, commanded by maj. Dick, maj. Macdonald, and maj. Aly; the 6th Portuguese Caçadores, commanded by maj. Pinto; by the light companies in col. Champlemonde's Portuguese brigade under col. Sutton; and those in col. Ashworth's Portuguese brigade under lieut.-col. Pynn; and by the picquets of the 3d division, under the command of the hon. lieut.-col. Trench. Lieut.-col. Cameron was severely wounded in the afternoon, and the command in the village devolved upon lieut.-col. Cadogan. The troops in Fuentes de Honor were besides supported, when pressed by the enemy, by the 74th regiment, under maj. Russel. Manners, and the 88th regiment, under lieut.-col. Wallace belonging to col. Mackinnon's brigade; and on one of these occasions the 88th, with the 71st and 79th, under the command of col. Mackinnon, charged the enemy, and drove them through the village: and col. Mackinnon has reported particularly the conduct of lieut.-col. Wallace, brig.-major Wilde, and lieut. and adjutant Stewart of the 88th regiment. The contest again lasted in this quarter

till night, when our troops still held their post; and from that time the enemy have made no fresh attempt on any part of our position. The enemy manifested an intention to attack maj.-gen. sir W. Erskine's post at Aldea del Bispo on the same morning, with a part of the 2d corps, but the maj.-gen. sent the 2d battalion of the Lusitanian legion across the ford of the Duas Casas, which obliged them to retire. In the course of last night the enemy commenced to retire from their position on the Duas Casas; and this morning at daylight the whole were in motion. I cannot yet decide whether this movement is preparatory to some fresh attempt to raise the blockade of Almeida, or is one of decided retreat; but I have every reason to hope that they will not succeed in the first, and that they will be obliged to have recourse to the last. Their superiority in cavalry is very great, owing to the weak state of our horses from recent fatigue and scarcity of forage; and the reduction of numbers in the Portuguese brigade of cavalry with this part of the army, in exchange for a British brigade sent into Estremadura with marshal sir W. Beresford, owing to the failure of the measures reported to have been adopted to supply the horses and men with food on the service. The result of a general action brought on by an attack upon the enemy by us might, under these circumstances, have been doubtful; and if the enemy had chosen to avoid it, or if they had met it, they would have taken advantage of the collection of our troops to fight this action, to throw relief into Almeida. From the great superiority of force to which we have been opposed upon this occasion, your lordship will

will judge of the conduct of the officers and troops. The actions were partial, but very severe, and our loss has been great; the enemy's loss has also been great; and they left 400 killed in the village of Fuentes de Honor, and we have many prisoners. I particularly request your lordship's attention to the conduct of lieutenant-col. Williams, lieutenant-col. Cameron, and the hon. lieutenant-col. Cadogan, and to that of col. Mackinnon, and lieutenant-col. Kelly of the 24th regiment, and of the several officers commanding battalions of the line and the light infantry, which supported the troops in Fuentes de Honor. Likewise to that of major McIntosh of the 85th regiment; of lieutenant-col. Nixon of the 2d Caçadores; of lieutenant-col. Eustace of the chasseurs Britanniques; and of lord Blantyre. Throughout these operations I have received the greatest assistance from lieutenant-general sir B. Spencer, and all the general officers of the army; and from the adjutant-general and quartermaster-general, and the officers of their several departments, and those of my personal staff. From intelligence from marshal sir W. Beresford I learn that he has invested Badajos, on the left of the Guadiana, and is moving there stores for the attack of the place. I have the honour to inform you that the intelligence has been confirmed, that Joseph Bonaparte passed Valladolid, on his way to Paris, on the 27th of April. It is not denied by the French officers that he is gone to Paris.

WELLINGTON.

*Villa Formosa, May 10.*

My lord,—The enemy retired on the 8th to the woods between Espeja Gallegos and Fuentes de Honor, in which position the whole army were collected on that day

and yesterday, with the exception of that part of the second corps which continued opposite Almeida. Last night the whole broke up and retired across the Azava, covering their retreat by their numerous cavalry; and this day the whole have retired across the Agueda, leaving Almeida to its fate. The second corps retired by the bridge of Barba del Puerco, and the ford of Val d' Espino on the Agueda. Our advanced posts are upon the Azava, and on the Lower Agueda; and the army will be tomorrow in the cantonments on the Duas Casas.

#### BERKELEY CAUSE.

31. As introductory to the following article we may observe that the earl of Berkeley died Aug. 8, 1810. His lordship had married Mary, the daughter of William Cole, by whom he had William Frederick Fitzharding, known as viscount Dursley, six other sons, and two daughters. The fact concerning the time of his marriage had been for years a subject of much conversation among the higher circles: but within these two or three years it excited a more general interest, in consequence of a petition to the house of commons, and the discussion which followed on lord Dursley taking his seat as member for Gloucestershire, and qualifying as the heir apparent of a peer. The subject had likewise been brought before the house of lords some time previously to this, with the view of removing all doubts respecting the succession to the title: but the house refused to go into it, on the ground that it was premature during his lordship's life-time. His lordship's will, dated Aug. 31, 1810, was proved by Mary countess of Berkeley. It comprises nearly eighty sheets, and appears

appears to have been drawn up with considerable caution and circumspection. To his eldest son, described at the time as lord Dursley, he gives personal property to the value of from 30,000*l.* to 40,000*l.* To Augustus, Francis, Thomas, George, and Craven, 700*l.* per annum each, besides 5,000*l.* each at their respectively attaining the age of 21 years. To Mary, Caroline, and Emily, daughters, 400*l.* per annum each, till married; and if married with the consent of their mother, then 10,000*l.* each. Again, upon their attaining the age of 21, 200*l.* per annum more till married; and upon their mother's death, 500*l.* per annum till married. All the foregoing to be charged on the Berkeley estates in the county of Gloucester. To lord Dursley (the eldest son), Berkeley Castle, in the county of Gloucester, for life, with remainder to his heirs male for ever; on failure of heirs, to the other sons in succession; and, failing them, to the daughters and their issue; and failing them, to his brother (admiral Berkeley) and his heirs. His estates in the county of Sussex are bequeathed to his son Maurice and his issue male; which failing, he gives to the third and other sons down to Craven; and failing them, then to his daughters and their issue for ever. It is provided, that if the Sussex estate should devolve to the possessor of the Gloucestershire estate, that then the interest to such possessor shall terminate as to the said Sussex estate, which is made a remainder over. The paintings, plate, china, and household furniture of Berkeley Castle, together with those of Cranbrook in Middlesex, to descend as heir-looms; but all the other personal property therein to rest for ever in the countess Berke-

ley. There are powers given to children, possessing real estates to make settlements. A like power to the countess to devise annuities, not exceeding a sum limited; and also a devise to her of 1,000*l.* immediately, and 2,000*l.* per annum for life, charged on the Gloucestershire estates; together with the estates in Middlesex for life; Lugges Farm for life, and leasehold house in Spring gardens for life, and she is made residuary legatee to all the rest, residue, and remainder of his property, for ever. It concludes with a solemn declaration of the legitimacy of lord Dursley, and finally disinherits all and every of the children who presume to dispute his title and legitimacy. There are matters of minor interest. The foregoing are prominent features of this interesting document. His title has however been disputed, and the following may be regarded as the leading features of the case.—Common reputation was, that the four eldest sons had been born before the deceased lord was married to their mother, the present countess; but her ladyship, on behalf of her eldest son, averred, that although the public solemnization of the marriage took place after the birth of the before-named four children, yet that she had been privately married to lord B. before their birth: and, to establish this statement, an entry in a parish register was produced, which entry, it is alleged, had, for certain reasons of pleasure and convenience on the part of lord Berkeley, been written on a leaf that was pasted down in the registry-book for many years, until upon the present occasion it was wanted. The truth of this story is what the house of lords has been engaged in inquiring into. The clergyman  
who

who is stated to have made the entry in the register is dead; and his widow has declared that she does not believe the writing to be that of her deceased husband. Mr. Tudor, brother of lady Berkeley, however, deposed, that he was present at her marriage with the late earl in 1785.—Lady Berkeley is the daughter of Mrs. Glossop, of Osbournby, Lincolnshire (formerly Mrs. Cole). She contradicted her daughter in some particulars, but gave her evidence in a very respectable way. The old lady has always lived in obscurity herself: but her three daughters have risen to a remarkable elevation in society; one is the present countess of Berkeley; another married a gentleman, who, dying, left her possessed of 7,000*l.* a year, and she is now the wife of a nephew of sir F. Baring; and the third daughter married a general in the army, at present in an important command in America. The evidence adduced is extremely voluminous, occupying upwards of 800 pages; the most remarkable parts of which are the statements of Mrs. Foote, the rev. John Chapeau, Mr. Fendall, admiral Prescott, and Maria Lumley,—of which the following is a sketch.

MINUTES OF EVIDENCE given before the committee of privileges of the house of lords, to whom the petition of William Fitzharding Berkeley, claiming as of right to be earl of Berkeley, was referred.

The examination of lady Berkeley took up several days. It stated in substance that she was first married to lord Berkeley, at Berkeley, the 3d of March, 1785,—that her brother, William Tudor, was the witness to the marriage,—that the reasons for concealing it origi-

nated with lord Berkeley,—that she never lived with her sister, Susanah Turner, after her first marriage, because she (Mrs. T.) was living under the roof of a gentleman to whom she was not married,—that she never applied to lord Berkeley to marry her, but was rather unwilling that the second marriage, which was at Lambeth, May 16, 1796, should take place, on account of her elder children,—that she never disclosed her first marriage to either her mother or her two sisters; but that she had given her mother reason to believe she was married, or she would not have lived with her, which she did in 1786, for a few months, during her lying-in of the present claimant.

Ann Foote was called in, and having been sworn, was examined as follows:

Where were you living in the early part of the year 1784?—At Broughton Malherd, in the county of Kent, 40 miles from London.

Did you in the early part of that year receive into your employment a lady who is now lady Berkeley?—Yes, on the 4th of March, 1784.

How do you recollect with distinctness the day and year when that event took place?—Having entered it in a pocket-book.

You have lately referred, to refresh your memory upon the subject?—Yes.

Where was the engagement made with lady Berkeley?—At Gloucester.

In what capacity was she with you?—As lady's maid.

In any other character?—No; assisting in the house sometimes, but as lady's maid principally; as upper servant.

Occasionally assisting the housemaid?—Sometimes.

Was she instructed before she came



came into your service in hair-dressing in Gloucester?—Yes.

Who paid for that?—My husband.

How much?—I think a guinea: I am not quite sure; it might be two; I am not quite certain.

That was paid to a hair dresser at Gloucester to instruct her, for the purpose of qualifying her to be a lady's maid?—Yes, exactly so.

Was any thing besides advanced while she was at Gloucester, before she came into your service?—No, I think not.

Was there any money advanced to buy her any clothes?—Yes, there was something paid: a friend engaged her for me; there was something.

How long did she live with you?—From March to the end of December, about 10 months.

What rate of wages did she receive from you?—I cannot recollect that exactly; she was paid at different times; I cannot exactly recollect how much.

Have you got any receipt for wages at the end of that year?—Yes; for her wages in part.

Have the goodness to produce it.

The witness produced a paper, and the same was read as follows:—

*December 27th, 1784:*

“Recd of the Rev. Mr. Foote, five pounds, for wages due Jan. 4th, 1785, in full of all demands, by me, “MARY COLE.”

Was that signed by the person who was with you at that time?—Yes; that is her signature.

When, in point of fact, did this person leave you?—About the 28th of December, I believe.

Did you, before she left you, receive any application from her sister upon that subject?—Yes; I

received a request from her sister that she might leave me rather before the month of warning was expired.

Have the goodness to produce that request that she should leave you.—I have not it with me at this moment.

It was soon after that request was received by you that lady Berkeley left you?—Almost immediately: I cannot say how soon, but almost immediately.

Then a letter was shown to the witness, and she was asked—Is that the letter you received?—This is the request which I received.

The same was read as follows:—

“Madam—Actuated by the generosity of your carictor I take the Libirty of Scribeling to you Bigging if it will not be Too great a faver that my sister may come to Town the week after Christmas as I am obliged to go in the Country the week following and shod be happy to see her before I go I Beg Madam I may not make it Hill covenant to you or give you the smallest Truble would reather suffer any disopointment my selfe then be thought impirtinant or regardless of your faver to my sister, She poor thing has long been in want of a friend and She tells me but for your kindness to her she would have been more unfortunate exkuse me Madam for saying Heaven will reward your generous condecention to My sister and Beleave me I am with real humility your humble Sirvant.

“S. TURNOUR.”

How soon before lady Berkeley left your service did you receive that letter?—About a fortnight, I believe; I am not sure.

During the period of lady Berkeley living in your service, do you know at any time of her having any

any meeting with lord Berkeley?  
—No.

Had you ever the least reason or ground to suspect that any communication or intercourse of any kind was going on between them?—Not the smallest.

Did you ever perceive in her attire or dress any thing that indicated she was supplied with money from any quarter?—No, not the least.

*William Fendall, esq. examined as follows:*

Are you not a barrister by profession?—Yes, I am.

Where is your principal place of residence?—In the neighbourhood of Gloucester.

Can you recollect particularly whether you attended the quarter sessions at Gloucester in the early part of the year 1785?—Yes; I certainly did.

Did you attend those quarter sessions, the July sessions, at the city of Gloucester?—I did.

Do you recollect on the day on which the sessions ended, or on any day during the sessions, your walking out after dinner into a part of the town called Bell-lane?—I do.

Which day was that?—On the Wednesday.

Did you there observe any person looking out of a window in a house there?—I did.

Who was it?—The present lady Berkeley.

What house was it that you saw that person looking out of the window of?—It was a corner house, the front of which was in Southgate-street, and part of it in Bell-lane.

Was there any other person in her company, or looking out of the window at the same time?—I think not; not looking out of the window.

Were you at that time acquainted with that lady?—I was not.

Had you ever spoken to her before?—Never.

Had you ever been in her company before?—Never.

Upon seeing that person looking out of window, what did you do?—I kissed my hand to her, I believe; I saluted in some way or other, either by pulling off my hat or shaking my hand, or in some way or other.

State every particular that you can recollect.—Either by taking my hat off, or kissing my hand, I showed an intention of waiting upon her if she would allow me. I, in consequence, went up stairs into the room.

After you had made these signals, how were they received by the lady?—They were neither assented to, nor dissented from, that I recollect, and the door was open, and I went up.

After you had made these signals, did the lady withdraw from the window?—I do not recollect that she did.

Was there any thing discouraging from the window to prevent your going up stairs?—Certainly not.

Proceed in your statement.—I went up stairs; I entered into that common conversation that a man would enter into.

Upon going up stairs, did you find any body in the company of that lady, and what room did you go into?—I went into a room up one pair of stairs, and I am pretty confident that the sister of that lady, Mrs. Farren, was with her in the room when I went in.

Have the goodness to proceed in giving an account of what passed with these two females.—I sat with them, and I rather believe, but

but I am not confident, whether I drank tea with them that afternoon or not; I sat with them from half an hour to an hour; I should rather suppose I might stay probably the greater part of an hour.

During that hour you think you drank tea with them?—I rather think I did, but I am not confident.

How did you introduce yourself, or begin the conversation with these ladies, you being a stranger?—It is impossible at this distance of time to say how I did it; I certainly paid that attention to a very handsome woman whom I found there, which a man might be very naturally expected to pay.

By that person you have so described, which of the sisters do you mean so to describe?—Lady Berkeley.

You knew the other to be Mrs. Farren, the wife of Mr. Farren you knew?—I cannot say that I knew it at the time; but when I repeated my visit I knew it certainly; I cannot take upon me to say I knew it that day.

Was it to lady Berkeley your attentions were particularly directed?—Certainly.

How were you received?—Not particularly objected to, and with no particular degree of forwardness; I do not recollect that there was any thing particularly forward in lady Berkeley's conduct; nor did she appear offended with my conduct.

She conversed familiarly with you?—Yes.

During the time you were endeavouring to make yourself acceptable, was there any thing to discourage you in the prosecution of that object?—I do not take upon me to say that there was any thing either particularly encouraging or discouraging; there was a conversation

passed between us, but I should suppose that conversation which is likely to take place between a young man and a young woman so circumstanced.

Was there any thing passed during that visit which led you in the smallest degree to suppose that that lady was a married woman?—Certainly nothing.

Did you then consider her to be a young unmarried woman?—[Mr. serjeant Best objected to the question.]

Did you at any time afterwards renew your visit?—Yes; either the next, or the following day; I think not till the Friday. It was in the afternoon, I recollect perfectly well. I should think about seven o'clock; it was after dinner.

When you went into the lane did you then see any person at the window?—No; I did not.

Did you then go into the house?—I did.

Was the door open or shut?—The door was, as it generally was, open; it was not the door of the house, but a private door in the lane.

You had not occasion to knock at the door previously, or to see whether there was any servant attending?—No; I had not.

Into what room did you go on going in?—Into a room up one pair of stairs, looking out to Southgate-street.

Was that the same room you had been in before?—Yes, it was.

Who was in the room when you went in?—I think only lady Berkeley.

What passed on your going in—how did you introduce yourself?—I do not know exactly how to state that; but that I intimated, that having visited her before, I wished to visit her again, and was come in consequence.

consequence. It is impossible for me to state at this distance of time the particular language that I used.

Had you any business with the lady?—No.

How long did you stay with the lady the second time?—I should suppose about the same time as the first.

Upon this second visit did you drink tea there?—I think I did; I am pretty confident I did the second time.

Who was in her company?—I do not believe any body but ourselves.

Was any surprise intimated, or any objection intimated from lady Berkeley when you first came the second time?—Not that I can recollect. I think certainly not.

You have stated that you think you drank tea there, and that you drank tea with lady Berkeley alone?—I am pretty confident I did: the impression on my mind is, that she was alone at that time.

Do you recollect from whom the invitation to drink tea came; whether it proceeded from yourself or the lady?—I do not recollect that she gave me any invitation; I am confident that she did not.

How came you to stay to drink tea there?—It was my intention; and I professed an intention that I came to drink tea with her.

Upon your saying that, what did lady Berkeley say?—She acquiesced in it.

You were alone during this visit, as you think?—Certainly part of the time, if not the whole.

State what was the subject of conversation between you during this second visit.—It is impossible for me, at this distance of time, precisely to state the whole of the conversation; I certainly professed myself an admirer of her's.

In what way were those profes-

sions received?—Not with any surprise certainly; but at that time certainly no particular marks of encouragement were given me.

During this second visit, did any thing pass from lady Berkeley, or was any thing said by her, intimating that she was a married woman?—No; certainly not.

Did you repeat your visits after that again?—Yes, I did.

When?—I should suppose the very next day. I think on the Saturday: and I think once afterwards.

It was then four times in the whole?—I think, as nearly as I can recollect, it was four times in the whole; I joined the circuit either the Tuesday or Wednesday following, at Hereford.

You visited four times at this house?—I think four times. I think I may venture confidently to say that.

As to the visit the third time; in what part of the day was that paid?—It was in the afternoon.

Did you stay tea the third time?—I do not recollect that I did.

During the third time did you see lady Berkeley?—Yes.

In company with any body; or alone?—Whether the sister might be present part of the time or not, I cannot pretend to say.

Can you recollect whether, during any part of the visit, you and lady Berkeley were left alone together?—Yes, certainly, we were part of the time.

During this third visit, was any objection intimated by lady Berkeley to those visits which you paid?—Not any that I recollect.

Do you recollect any thing that enables you to state at whose house this was where the lady was?—I did know whose house it was in the course of my visiting, but on what particular

particular day I cannot recollect. Mr. Farren, the husband of Mrs. Farren, came into the room, whom I had known some years before, and I immediately recognised him : whether this was his house or not, I cannot particularly say.

At the time when Mr. Farren came into the room, was there any female in the room except lady Berkeley?—No; I remember perfectly well there was not.

State what was passing between you and lady Berkeley at the time Mr. Farren came into the room?—Premising that nothing criminal, I solemnly declare, ever did pass between lady Berkeley and myself, I must submit to their lordships that circumstances might occur which it might be very unpleasant to state. Occasional liberties might be taken, and perhaps at the time that Mr. Farren came in, something of that sort might be passing; but I most solemnly declare, that nothing criminal ever passed between lady Berkeley and myself.

What was the nature of the liberties, if any, that were passing when Mr. Farren came into the room?—I certainly was taking liberties with lady Berkeley at that time, unquestionably.

Was it with or against her consent?—Certainly with a degree of reluctance on her part.

What was the nature of the liberties you were taking?—I was saluting her.

Were you upon the ground with her?—I rather think not, but I will not take upon me particularly to say. There was a moment, I believe, when by accident she had slipped off her chair; and whether it was at that time when Mr. Farren came in, I will not take upon me to say.

During any part of that time, was any the least intimation given

you by lady Berkeley that she was a married woman?—Certainly not.

Did you receive from lady Berkeley during this time, or at any time during the visits, any reprimand or condemnation of what had passed?—Lady Berkeley certainly did express reluctance at liberties that I attempted to take.

Was that during the period those liberties were taking, or before or after them?—She expressed a reluctance every time I attempted to take any liberties of that kind, certainly.

After that passed, had you any communication with lady Berkeley after you went to Hereford?—When I was at Hereford I wrote to lady Berkeley.

Did you receive any letter from lady Berkeley?—I did.

Is that letter in existence, or is it destroyed?—It is lost; I believe I may say destroyed.

State, as nearly as you can, the contents of that letter.

The contents of lady Berkeley's letter were rather of a favourable expression towards me. It begins with a complaint of my making a request to her to meet me alone, unaccompanied by any female friend; that if my intentions were honourable towards her, I should rather have desired her to bring some female friend with her, whose presence would have prevented any improper circumstances taking place at the meeting; which was pretty near the whole, at least that was the substance of the letter I received from her ladyship.

Can you at all recollect in what way the letter began?—I certainly do recollect the first expression, and I think I can venture with confidence to say that it began with these words:—"Maria, with equal heart, sits down to answer the letter

tér she has received." I beg leave to state, that it was the peculiarity of the expression that made that impression upon me, that I am confident I can state it correctly.

As you stated that you had been a considerable time resident in the county of Gloucester, During the time of your residence there, did lord Berkeley and his lady ever pass as man and wife?—I never understood that they did.

During all that time, what name did lady Berkeley go by?—Tudor, I believe; the letter that she wrote to me was signed merely Maria; there was no surname added to it.

During the time she lived with lord Berkeley did she pass as his wife?—Certainly not, to my knowledge.

*Cross-examined.*

Have not you and the late lord Berkeley had several quarrels?—None ever.

*The rev. Mr. Chapeau examined.*

States an application from lord Berkeley, in January 1787, to christen a natural child of his, which was done—States his being intimate in the family.

*Examination proceeded in.*

During all the time of the intimacy subsisting between you and lord Berkeley, did lord Berkeley pass as a married or single man?—As a single man. I recollect a circumstance that passed on coming from shooting one day. It was lord Berkeley's custom to ask, where miss Tudor was; and the servant that answered the question said, "My lady Berkeley is in the pleasure-grounds." To which lord Berkeley answered, "You fool, whom do you mean by lady Berkeley?—I have no lady Berkeley belonging to me but my mother." That servant repeated that once after that, but never afterwards.

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You represented that you had seen lord Berkeley at Spring-gardens on his return from the house of lords, when he went to claim a former marriage?—I did.

Did you see lady Berkeley there?—Both, at Spring-gardens.

Did you hear lady Berkeley say any thing upon that occasion?—I sat in the dining-parlour with admiral Prescott, about half an hour before the carriage drove up: when the carriage drove up, lady Berkeley got out of the carriage first; my lord Berkeley was detained with his porter in the hail; lady Berkeley being first, had flounced down in a chair, and looked heated and disappointed, saying, "No more iniquity for me. My children shall go to their church, and shall read their Bible, and shall tread the path of truth and virtue."

At any time did lady Berkeley relate to you any circumstances respecting her history?—She did.

Have the goodness to repeat them.—About October, I cannot recollect to say in what year exactly, I think it must be about 1787.

The witness said, When I came into the parlour to shelter myself, I believe it was from rain, miss Tudor was discharging a servant she had out of the country, and persuading this girl to return to her friends in the country, telling her she would pay her stage-coach if she would. She refused, saying, she liked to stay in London better. Upon which miss Tudor asked me if I did not think the girl extremely obstinate; and that a girl with a good countenance, and dismissed from service without money, would be sure to fall a prey to some man or other. In this situation, said she, I was once myself; but having a friend of my mother's, whose

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name I recollected, and whose house I found out, very luckily was received with kindness; but that kindness did not last long, for he came to me and said, "Mary, you must not stay longer under my roof; I have lived in good esteem among my neighbours, and the young people will laugh at me if you continue, and the old people will despise me; therefore, child, you must go down to your friends at Gloucester." I said to her, "I hope that he did not turn you out without some money!" "No," she said, "he did not; he gave me a very handsome present; and with that present, I quitted his house and went to my sister Ann Farren, whom I found with a sore breast, two or three children extremely diseased and dirty, and a woman of the name of Sheffield, an old servant in the family, who came upon her necessitous situation to assist them. The first thing I did was to send for a surgeon to my sister; the next thing was to have the children cleaned and clothed, and that dipped very deep into my present. I remunerated Mrs. Sheffield for her kindness, and then, disliking my situation under my sister, took up my little bundle and marched to my sister Susan's. I took up the knocker; but recollecting that my mother had given me strict orders never to speak to my sister Susan any more, I laid it down again quietly, and took a turn to reflect upon my disobedience; but when I thought of returning to all that misery at my sister's,—my sister screaming with pain, and the children almost famished with hunger,—I faced about, went to my sister Susan's once again; took up the knocker and gave a loud rap. Who should come to the door, but (as if it had

been on purpose) my sister Susan herself, dressed out in all the paraphernalia of a fine lady going to the Opera! She took me in her arms, carried me into the parlour, and gave me refreshment; began to tear a great many valuable laces of 16s. a yard, to equip me for the Opera; and when I was so dressed I looked like a devil. I went to the Opera and was entertained with it, and at night returned again to my sister's, and there I found a table well spread; not knowing that my sister ever had any fortune. At table were lord Berkeley, sir Thomas Kipworth, I think a Mr. Marriot, and a Mr. Howorth: the evening went off very dull, and they soon left the place. The next night we went to the play in the same manner, and returned in the same manner, and with no other difference than a young barrister, whom I thought agreeable; and if I had been frequently with him should have liked him very much. When they went away I requested my sister to give me a cheerful evening that we might recount over our youthful stories; a day was fixed, and our supper was a roast fowl, sausages, and a bowl of punch. In the midst of our mirth a noise was heard in the passage, and in rushed two ruffians, one seizing my sister by the right hand and the other by the left, trying to drag her out of the house in order to carry her to a spunging-house. She told me the men declared they would not quit Susan her sister unless they received a hundred guineas. She fainted away: then, when she came to herself she found lord Berkeley standing by her sister Susan, who was not there before. Miss Tudor fell upon her knees, and desired my lord Berkeley to liberate her sister; that she had no money herself

himself to do it, and if he would do it, he might do whatever he would with her own person: he paid down one hundred guineas; the ruffians quitted their hold, and my lord carried off the lady.

In the conclusion, did the lady say any thing?—Yes; she said, “Mr. Chapeau, I have been as much sold as any lamb that goes to the shambles.”

You state you had been more or less in habits of intimacy with lord Berkeley, and lived a great deal in his society; Did lord Berkeley ever make any communication to you of any matter of confidence on any subject whatever; any secret confidential communication relative to his affairs, or other matters?—A thousand, if I had memory to retain them. If you please, I do not think I can go on, but I will try. Lord Berkeley and I used to ride, when we were alone, five days in the week together. Once he said, “O, dear Chapeau, I am very low-spirited, and very unhappy; I knew an old friend of mine, by the name of Smith, who was a son of the duke of Dorset, born out of wedlock, and that man was my school-fellow, and a man I loved exceedingly; and whenever I think of him, I am always unhappy. I attended him all through his illness; he drank himself to death, because he was disappointed in the title.” And he said, “Believe me, my children shall never experience such cursed villany through my means.”

Have you any recollection how many children lord Berkeley might have born at that time?—No, I do not remember; the children were playing about the pleasure-ground with their little barrows and things.

In any confidential communication with lord Berkeley, did you

ever learn from his lordship whom he considered as the heir to his title or estate?—Yes, I have several times, twenty times; his brother George Berkeley.

Was the above the first confidential conversation you ever had with lady Berkeley?—I think it was the first and the last I ever had. I will give you a proof of lady Berkeley's artlessness; she is a very artless woman, and a woman who I think has been, very ill used through life, for I think she has a great many good qualities. I saw her in Spring-gardens; now I shall surprise you more. I went to call on lord Berkeley in Spring-gardens; the eldest boy had been shut up by her, a good big boy, because he had been very insolent to his mother. When I came into the room, I asked miss Tudor where master Berkeley was; she said he was shut up in her room within the drawing-room, which was a bed-chamber, and had been shut up for several hours without any victuals. I said, Ma'am, I think you do wrong, for the child will be ill; do liberate him (being confined so many hours). She went into the room, fetched the boy out, with a stick in one hand and her other hand upon his collar; she said, “Go and thank Mr. Chapeau for your liberation;” and she then added, keeping hold of him the while, “Now, you little dog, though I am not your father's wife, I will make you know through life I am your mother.”

Do you state upon your oath, that she said she was not the wife of lord Berkeley?—I do say so: I relate this as a circumstance said to the child.

Do you upon your oath state to the house, that she stated herself not to be the wife of lord Berkeley.  
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ley?—I am really convinced that this is what I heard her say.

Can you swear positively to the words, that her ladyship declared herself not to be the wife of lord Berkeley?—She made use of those words that I have related.

*Admiral Prescott* stated, that on one occasion, when lord Berkeley and miss Tudor had been quarrelling at Cranford, she left the room, and he said to lord Berkeley how sorry he was to see him so unhappy. His answer was, "I am determined, Prescott, to put her away." "Shall I tell her so, my lord?" His answer was, "Yes, you may." I was going to London at that time with miss Tudor; and in the carriage, after having left the house about ten minutes or something of that kind, I related the conversation that had passed between lord Berkeley and me, and told her I was extremely sorry to say to her that lord Berkeley was determined, if it went on, to part with her; and her answer was, "He dare not." She said no more.

*The marquis of Buckingham* stated, that about the year 1789 lord Berkeley informed him he had some illegitimate children by a woman with whom he was then living; and that he requested him to be their guardian: and that he had a faint recollection of lord Berkeley having said that he paid some money to procure the possession of the lady.

*Walter Mayers*, a silversmith in Gloucester, proved, that in May 1785 lord Berkeley and the other officers of the Gloucester militia were accustomed to come to his shop, as he thought, more for the purpose of looking at the miss Coles who lived opposite than buying of trinkets; that they were

dressed like butchers' daughters, decently, but not finely.

*John Guennett* proved, that in Michaelmas 1785, he being a servant of Mrs. Turnour's, whom he knew to be a kept-woman, was sent to conduct Mary Coles from the Gloucester stage to his mistress's house.

*Maria Lumley* proved, that about the year 1791 or -2, lord Berkeley told her, he had pictures of his two eldest sons in the Exhibition, and that he said, "Would to God they were legitimate!"

In consequence of the decision of the house of lords, the four eldest sons of the late earl are passed over; and the title devolves upon the fifth son, who was the first born in wedlock, viz. Thomas Morton Fitzharding, now earl of Berkeley, who is in his 15th year.

The late lord Berkeley was well-known to be a man remarkably tenacious of his game. This involved him in perpetual disputes with his tenants and neighbours, who were probably as fond of pheasants and hares as his lordship. The rev. Mr. Chapeau, in his examination, stated the following curious occurrence, which we give in his own words:—"Lord Berkeley, and the son of one Harris, a schoolmaster of Uxbridge, had been at variance a great while about shooting; Harris had killed a great deal of game, and paid a great deal of money for it, and he went one October to Oxfordshire, and collected about a dozen farmers' sons that were just qualified; and when my lord Berkeley and I were a-shooting under D'Oyley's wall together, I saw a quantity of people coming, each with a dog under his arm, that he had picked up at Uxbridge. Lord Berkeley's covers are intersected with roads, and they put down those dogs that they

they had picked up; they did not belong to them, but they had picked them up in the town: the dogs ran about and disturbed the game, and the farmers shot; and under D'Oyley's wall, we first heard this uproar. Lord Berkeley seemed to me very much distressed, and violently angry, and rode up to the spot where they were firing, I thought, by platoons. I followed lord Berkeley close to his heels; and when I came within half a mile of the insurgents, I jumped off my horse, took lord Berkeley's bridle, and told him that he should hear me before he stirred. I said, "Lord Berkeley, *There is a poor woman you have seduced at home—there are two or three children or four, I believe, that you have, who are holding up their little hands to you for protection; you must give in, and not set their lives, their comfort, their happiness, against a parcel of foolish pheasants and hares.*" My lord Berkeley sunk his bridle, suffered me to lead him through Bulls Bridge Gate: I locked the gate, and threw the key into the hedge and went away, and never shot afterwards."

## JUNE.

2. About five o'clock this afternoon, major Arbuthnot reached town, with the official details of the gallant battle of Albuera. The Park and Tower guns were fired late the same evening, and the next day an Extraordinary Gazette was published, which is here subjoined: LONDON GAZETTE EXTRAORDINARY.

*Downing-street, June 2.* Dispatches, of which the following are extracts, have been this day received by the earl of Liverpool, addressed to his lordship by lieutenant. viscount Wellington, dated Elvas, May 22.

On the night of the 15th inst. I

received from marshal sir W. Beresford letters of the 12<sup>th</sup> and 18<sup>th</sup> inst. which reported marshal Soult had broken up from Seville about the 10<sup>th</sup>, and had advanced toward Estremadura, notwithstanding the reports which had been previously received that he was busily occupied in strengthening Seville, and the approaches to that city, by works; and that all his measures indicated an intention to remain on the defensive in Andalusia.—I therefore set out on the following morning from Villa Formosa, and having received further information on the 14<sup>th</sup>, from sir W. Beresford, of the enemy's movements, I hastened my progress, and arrived here on the 19<sup>th</sup>, and found that sir W. Beresford had raised the siege of Badajos, without the loss of ordnance or stores of any description; and collected the troops under his command, and had formed a junction with gens. Castanos and Blake at Albuera, in the course of the 15<sup>th</sup> inst.—He was attacked there on the 16<sup>th</sup> by the French army under the command of marshal Soult; and after a most severe engagement, in which all the troops conducted themselves in the most gallant manner, sir W. Beresford gained the victory. The enemy retired in the night of the 17<sup>th</sup>, leaving between 900 and 1000 wounded on the ground.—Sir W. Beresford sent the allied cavalry after them; and on the 19<sup>th</sup>, in the morning, re-invested Badajos.—I inclose reports of sir W. Beresford, of the 16<sup>th</sup> and 18<sup>th</sup> inst. on the operations of the siege to the moment of raising it, and on the battle at Albuera; and I beg to draw your lordship's attention to the ability, the firmness, and the gallantry manifested by marshal sir W. Beresford throughout the transactions on which he

has written. I will add nothing to what he has said of the conduct of all the officers and troops, excepting to express my admiration of it, and my cordial concurrence in the favourable reports by sir W. Beresford of the good conduct of all.—All has remained quiet in Castille since I quitted that part of the country.—The battalions of the 9th corps, belonging to regiments serving in the corps d'armée in Andalusia, had marched from Salamanca on or about the 15th, and went towards Avila, and were to come by Madrid.—I send this dispatch by major (lieut. colonel) Arbutnot, the secretary of marshal sir W. Beresford, who was present in the battle of Aldura, and can give your lordship any further information you can require; and I beg leave to recommend him to your lordship.

Marshal Beresford's first letter to lord Wellington, dated Albuera, May 16, here follows.—It appears, that after Badajos was invested, and the communication between the different corps of the besieging force destroyed by the sudden flooding of the Guadiana, and the consequent destruction of the bridge, the French, under Latour Maubourg, were by dextrous manœuvring of our troops south of Badajos, driven successively from Llerena to Guadalcanal and Constantino. Subsequently the bridge having been restored, and the preparations for the siege being completed, the divisions of infantry fell back to invest Badajos more effectually, leaving the cavalry in advance at Zafra, Los Santos, and Villa Franca. On the 8th, the garrison of Fort St. Christoval made a sortie, and were repulsed by major-gen. Lumley. On the 10th, another sortie was made to impede the construction of

batteries against St. Christoval, which was repulsed by a part of the force under lieut.-col. Fletcher, after the enemy had obtained possession of one of the batteries, which was within 500 yards of the place: in this affair, our troops being exposed to the shot and shells of the town and fort of St. Christoval, and the musquetry from the latter, sustained considerable loss, including the gallant col. Turner, of the 17th Port. regt.—On the 12th, marshal Beresford, leaping from gen. Blake that Soult had left Seville on the 10th, and after forming a junction with Latour Maubourg, which increased his force to 15,000 men, had advanced and occupied Guadalcanal and Llerena, and avowed his intentions to attack and compel the allies to raise the siege of Badajos, immediately suspended operations against that place, and directed the removal of the guns and stores to Elvas, which by the exertions of lieut.-col. Fletcher, roy. eng. major Dixon of the artillery, and the Portugese governor of Alentejo (lieut.-gen. Leite), was effected without the least loss, and all the troops, except brig-gen. Kemmis's brigade, united on the 16th to meet the attack, and oppose the march of marshal Soult.

*Albuera, May 18.*

My lord, I have infinite satisfaction in communicating to your lordship, that the allied army united here under my orders, obtained on the 16th inst. after a most sanguinary contest, a complete victory over that of the enemy commanded by marshal Soult; and I shall proceed to relate to your lordship the circumstances.—In a former report I have informed your lordship of the advance of marshal Soult from Seville, and I had in consequence judged it wise, entirely  
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to raise the siege of Badajos, and prepare to meet him with our united forces, rather than, by looking to two objects at once, to risk the loss of both. Marshal Soult, it appears, had been long straining every nerve to collect a force which he thought fully sufficient to his object, for the relief of Badajos; and for this purpose he had drawn considerable numbers from the corps of marshal Victor and gen. Sebastiani, and also, I believe, from the French army of the centre. Having thus completed his preparations, he marched from Seville on the 10th inst. with a corps then estimated at 15 or 16,000 men, and was joined, on descending into Estremadura, by the corps under gen. Latour Maubourg, stated to be 5,000 men. His excellency gen. Blake, as soon as he learnt the advance of marshal Soult, in strict conformity to the plan proposed by your lordship, proceeded to form his junction with the corps under my orders, and arrived at Valverde in person on the 14th inst. where, having consulted with his excellency and gen. Castanos, it was determined to meet the enemy, and to give him battle.—On finding the determination of the enemy to relieve Badajos, I had broken up from before that place, and marched the infantry to the position in front of Valverde, except the division of the hon. major-gen. G. L. Cole, which, with 2000 Spanish troops, I left to cover the removal of our stores. The cavalry which had, according to orders, fallen back as the enemy advanced, was joined at Santa Martha by the cavalry of gen. Blake; that of gen. Castanos under the count de Penne Villamur had been always with it.—As remaining at Valverde, though a stronger position, left Badajos entirely open, I

determined to take up a position (such as could be got, in this widely open country) at this place; thus standing directly between the enemy and Badajos. The army was therefore assembled here on the 15th inst. The corps of gen. Blake, though making a forced march to effect it, only joined in the night, and could not be placed in its position till the morning of the 16th inst. when gen. Cole's division, with the Spanish brigade under don Carlos d'Espagne, also joined, and a little before the commencement of the action. Our cavalry had been forced on the morning of the 15th inst. to retire from Santa Martha, and joined here. In the afternoon of that day the enemy appeared in front of us. The next morning our disposition for receiving the enemy was made, being formed in two lines, nearly parallel to the river Albuera, on the ridge of the gradual ascent rising from that river, and covering the roads to Badajos and Valverde; though your lordship is aware that the whole face of this country is every where passable for all arms. Gen. Blake's corps was on the right in two lines; its left on the Valverde road, joined the right of major-gen. the hon. W. Stewart's division, the left of which reached the Badajos road, where commenced the right of major-gen. Hamilton's division, which closed the left of the line. Gen. Cole's division, with one brigade of gen. Hamilton's, formed the 2d line of the British and Portuguese army. The enemy, on the morning of the 16th, did not long delay his attack: at eight o'clock he was observed to be in movement, and his cavalry was seen passing the rivulet of Albuera considerably above our right; and shortly after he marched, out of the wood op-

posite to us, a strong force of cavalry and two heavy columns of infantry, pointing them to our front, as if to attack the village and bridge of Albuera: during this time, under cover of his vastly superior cavalry, he was filing the principal body of his infantry over the river beyond our right, and it was not long before his intention appeared to be to run us by that flank, and cut us off from Valverde. Major-gen. Cole's division was therefore ordered to form an oblique line to the rear of our right, with his own right thrown back. And the intention of the enemy to attack our right becoming evident, I requested gen. Blake to form part of his first line, and all his second, to that front; which was done.—The enemy commenced his attack at nine o'clock, not ceasing at the same time to menace our left: and after a strong and gallant resistance of the Spanish troops, he gained the heights upon which they had been formed: meanwhile the division of the hon. major-gen. W. Stewart had been brought up to support them; and that of major-gen. Hamilton brought to the left of the Spanish line, and formed in contiguous close columns of battalions, to be moveable in any direction. The Portuguese brigade of cavalry, under brig.-gen. Orway, remained at some distance on the left of this, to check any attempt of the enemy below the village.—As the heights the enemy had gained, raked and entirely commanded our whole position, it became necessary to make every effort to retake and maintain them; and a noble one was made by the division of gen. Stewart, headed by that gallant officer. Nearly at the beginning of the enemy's attack, a heavy storm of rain came on, which,

with the smoke from the firing, rendered it impossible to discern any thing distinctly.—This, with the nature of the ground, had been extremely favourable to the enemy in forming his columns, and in his subsequent attack. The right brigade of gen. Stewart's division, under lieutenant-col. Colborne, first came into action, and behaved in the most gallant manner; and finding that the enemy's column could not be shaken by fire, proceeded to attack it with the bayonet; and, while in the act of charging, a body of Polish lancers (cavalry), which the thickness of the atmosphere and the nature of the ground had concealed (and which was, besides, mistaken by those of the brigade when discovered for Spanish cavalry, and therefore not fired upon), turned it; and being thus attacked unexpectedly in the rear, was unfortunately broken, and suffered immensely. The 31st regt. being the left one of the brigade, alone escaped this charge, and under the command of major L'Estrange kept its ground, until the arrival of the 3d brigade under major-gen. Hoghton. The conduct of this brigade was most conspicuously gallant, and that of the 2d brigade, under the command of the hon. lieutenant-col. Abercromby, was not less so. Major-gen. Hoghton, cheering on his brigade to the charge, fell pierced by wounds. Though the enemy's principal attack was on this point of the right, he also made a continual attempt upon that part of our original front at the village and bridge, which were defended in the most gallant manner by major-gen. baron Alten and the light infantry brigade of the German legion, whose conduct was, in every point of view, conspicuously good. This point now formed our left,

left, and major-gen. Hamilton's division had been brought up there; and he was left to direct the defence of that point, whilst the enemy's attack continued on our right, a considerable proportion of the Spanish troops supporting the defence of this place. The enemy's cavalry, on his infantry attempting to force our right, had endeavoured to turn it; but by the able manœuvres of major-gen. the hon. W. Lumley, commanding the allied cavalry, though vastly inferior to that of the enemy in number, his endeavours were foiled. Major-gen. Cole, seeing the attack of the enemy, very judiciously bringing up his left a little, marched in line to attack the enemy's left, and arrived most opportunely to contribute, with the charges of the brigades of gen. Stewart's division, to force the enemy to abandon his situation, and retire precipitately, and to take refuge under his reserve; here the fuzileer brigade particularly distinguished itself. He was pursued by the allies to a considerable distance, and as far as I thought it prudent with his immense superiority of cavalry; and I contented myself with seeing him driven across the Albuera.—Marshal Beresford then speaks highly of majors Hartman and Dickson, commanding the British and Portuguese artillery; also of capt. Lefebvre's horse artillery, and of one brigade of Spanish artillery, all of which were well served and fought. The enemy took and carried off one howitzer attached to lieutenant-col. Colborne's brigade, with 300 prisoners, previous to the arrival of gen. Hoghton's brigade. The Portuguese division of major-gen. Hamilton evinced the utmost steadiness and courage, and manœuvred equally well with the British;

and brig.-gen. Harvey's Portuguese brigade, when marching in line across the plain, gallantly repulsed a charge of the enemy's cavalry. After Soult's main attack was defeated, he relaxed in that on the village, on which he could never make any impression, or cross the rivulet, though the troops were reduced there in order to strengthen other points.—“It is impossible (continues marshal Beresford) to enumerate every instance of discipline and valour shown on this severely contested day; but never were troops that more valiantly or more gloriously maintained the honour of their respective countries. Every individual most nobly did his duty, which is proved by the great loss we have suffered, though repulsing the enemy; and it was observed that our dead, particularly the 57th regt. were lying as they had fought, in ranks, and every wound was in the front.—The battle commenced at nine, and continued without cessation till two in the afternoon, when the enemy being driven over the Albuera, the remainder of the day was spent in cannonading and skirmishing.”—Marshal Beresford then mentions, in terms of high commendation, the following officers who materially conducted to the honour of the day: major-gen. W. Stewart, who received two contusions, but would not quit the field; major-gen. G. L. Cole, lieutenant-col. Abercromby, major L'Estrange (31st regt.); col. Inglis; major-gens. W. Lumley, Hamilton, and Alten; and col. Collins, commanding a Portuguese brigade, whose leg was carried away by a cannon shot.—The deaths of major-gen. Hoghton and of sir W. Myers, and lieutenant-col. Duckworth, are deeply lamented.—The Portuguese brigades of brig.-gens. Fon-

seca and A. Campbell are likewise honourably mentioned.—Of the services which the marshal derived from the officers of his own staff, those of brig.-gen. D'Urban, Q. M. G. to the Portug. army, are particularly noticed. Lieut.-col. Hardinge, D. Q. M. G. to the Portuguese; brig.-gen. Mozinho; adjut.-gen. lieut.-col. Rooke, assist. adj.-gen. to the united British and Portuguese force; brig.-gen. Lemons, and the officers of his personal staff, are thanked for the assistance they rendered.—The marshal then states that the most perfect harmony subsisted between the allies, and that he experienced the most cordial assent and co-operation from generals Blake and Castanos; the former took the command of the Spanish troops, and by his experience, knowledge, and zeal, greatly contributed to the fortunate result of the battle. Generals Balasteros, Zayas, don Carlos d'Espagne, and count de Penne Villamur, are honourably mentioned. Marshal Beresford then, after acknowledging the services of lieut.-col. Arbuthnot, and recommending him for promotion, concludes thus: "I annex the return of our loss in this hard contested day: it is very severe, and in addition to it, is the loss of the troops under his excellency gen. Blake, who are killed, missing, and wounded, but of which I have not the return. The loss of the enemy, though I cannot know what it is, must be still more severe. He has left on the field of battle about 2000 dead, and we have taken from 900 to 1000 prisoners. He has had five generals killed and wounded; of the former, generals of division Merle and Pefin, and Ganan, and two others amongst the latter.—His force was much more considerable than

we had been informed of, as I do not think he displayed less than from 20 to 22,000 infantry, and he certainly had 4000 cavalry with a numerous and heavy artillery. His overbearing cavalry cramped and confined all our operations, and with his artillery saved his infantry after its rout.—He retired after the battle to the ground he had been previously on, but occupying it in position; and on this morning, or rather during the night, commenced his retreat on the road he came, towards Seville, and he abandoned Badajos to its fate. He left a number of his wounded on the ground he had retired to, and to which we are administering what assistance we can. I have sent our cavalry to follow the enemy, but in that arm he is too powerful for us to attempt any thing against him in the plains he is traversing.—Thus we have reaped the advantage we proposed from our opposition to the attempts of the enemy; and whilst he has been forced to abandon the object for which he has almost stripped Andalusia of troops, instead of having accomplished the haughty boasts with which marshal Soult harangued his troops on leaving Seville, he returns there with a curtailed army, and what perhaps may be still more hurtful to him, with a diminished reputation.

W. C. BERESFORD,  
Marshal and lieut. gen.

#### MISSIONS.

4. The eleventh anniversary of the society for Missions to Africa and the East was this day held. The sermon was preached by the rev. Melville Horne, late chaplain at Sierra Leone: the collection amounted to 275*l*. The preacher pleaded the cause with great energy and

and eloquence. His especial aim was to rouse the clergy of the established church to take a personal share in propagating the Gospel through the heathen world. To that respectable body this sermon is, therefore, earnestly recommended: and it is hoped it will prove the means of calling forth some of them to participate in this noble design. The annual meeting of the society was afterwards held, William Wilberforce, esq. M. P. in the chair. From the report it appears, that upwards of fifty persons, adults and children, are dependent on the society, at its settlement on the Rio Pongas in Africa; that the schools of native children in that quarter are in a very flourishing state; and that the missionaries are invited to extend their labours, both southward to the Dembia, and northward to the Rio Nunci: in which stations large schools are offered to them by friendly chiefs. These proposals will be embraced as soon as several missionaries shall arrive at their destination. The society has also granted 250*l.* a year to its corresponding committee at Calcutta, to establish readers of the scriptures in the market-places of the principal towns in India. The report likewise contains communications from the rev. Samuel Marsden respecting New Zealand, and the best means of diffusing the light of the Gospel through the islands of the Southern Ocean.

**TRIAL and EXECUTION** of the hon. A. W. HODGE at TORTOLA, for the murder of his Negro slave PROSPER.

The hon. A. W. Hodge, esq. one of the members of his majesty's council at Tortola (West Indies), was executed on the 8th of May

for the murder of one of his own negroes of the name of Prosper. The prisoner, on his trial, pleaded Not guilty. The first witness called to prove the charge was a free woman of colour of the name of Pairen Georges. She stated that she was in the habit of attending at Mr. Hodge's estate to wash linen; that one day Prosper came to her to borrow six shillings, being the sum that his master required of him, because a mango had fallen from a tree which (he) Prosper was set to watch. He told the witness that he must either find the 6*s.* or be flogged; that the witness had only 3*s.*, which she gave him, but that it did not appease Mr. Hodge: that Prosper was flogged for upwards of an hour, receiving more than 100 lashes, and threatened by his master, that if he did not bring the remaining 3*s.* on the next day, the flogging should be repeated: that the next day he was tied to a tree, and flogged for such a length of time, with the thong of a whip doubled, that his head fell back, and that he could cry out no more. From thence he was carried to the sick-house, and chained to two other negroes; that he remained in this confinement during 5 days, at the end of which time his companions broke away, and thereby released him; that he was unable to abscond; that he went to the negro-house and shut himself up: that he was found there dead, and in a state of putrefaction, some days afterwards; that crawlers were in his wounds, and not a piece of black flesh was to be seen on the hinder part of his body where he had been flogged. S. M'Keogh, formerly manager to Mr. Hodge, swore that after Prosper had been flogged, he could put his finger in his side; and that Mr. Hodge had said, that



that if the work of the estate was not done, he was satisfied if he heard the sound of the whip. Another witness who was called on the behalf of the defendant, swore that he had occasioned the death of his cook, named Margaret, by pouring boiling water down her throat. The majority of the petit jury recommended Mr. Hodge to mercy ! but none of the judges seconded the recommendation : it is supposed he had murdered five of his slaves : from the period of his condemnation to his execution governor Elliot thought it expedient to proclaim martial law.

#### FRENCH NATIONAL COUNCIL.

18.—The first sitting of the national council was this day celebrated according to the ancient forms prescribed by the usages and canons of the church. The catholic religion possesses no ceremony more affecting or more august. At seven in the morning the doors of the metropolitan church of Paris were thrown open to the public:—the body of the church and the aisles were in a moment filled with those who assisted at the ceremony, among whom we noticed a number of French and foreign ministers, and a great many other persons of distinction. At nine, the fathers of the council passed out from the archbishop's palace, and moved on in procession to Notre Dame. The procession marched in the following order : first, the Swiss guards, and the officers of the church : the cross ; the masters of the ceremonies ; the incense-bearers ; the choristers ; the ecclesiastics of the second rank ; the officers of the council ; the metropolitan chapter, which was to receive the council at the principal entrance of the church ;

the fathers of the council, all in their copes and mitres, with the scarf, the cross, the gremial, and the mitre of the bishop who was to celebrate the high mass, carried by canons ; four deacons and four sub-deacons in their surplices (*as chasuble*) ; two assistant bishops ; the celebrant in his pontifical garb. His eminence cardinal Fesch, archbishop of Lyons, primate of the Gallican church, is the president of the council.

The fathers were ranged in the choir on the seats which had been provided for them, having hassocks before them, and some small benches for the assistant priests. The metropolitan clergy and rectors of Paris occupied one side of the sanctuary.—After the gospel-lesson, the officiating sub-deacon carried the book opened to the celebrant, and to the fathers, for them to kiss. This ceremony finished, M. de Boulogne, bishop of Troyes, ascended the pulpit. His discourse produced the most lively impression. Many passages, above all, his peroration, appeared models of the most sublime eloquence. The orator had chosen for his theme the influence of the catholic religion on social order. He evinced that the catholic religion is the strongest cement of states, by the force of its tenets, by the nature of its worship, and by the ministry of its pastors. The cardinal, who was the celebrant, now proceeded to the high mass. At the second elevation, all the bishops gave each other mutually the kiss of peace. After this, they moved two by two to the communion, and received the sacrament from the hand of the celebrant.

After mass, different prayers were recited, invoking the illumination of the Holy Ghost, and these

these were ended by the hymn Veni, Creator. The cardinal celebrant prayed successively for the pope, the emperor, and the council—(N. B. It is thus pointed in the original.)—The episcopal secretaries of the council then approaching the celebrant, saluted him, and likewise the fathers, who received from their hands the decrees which were to be made public in this sitting. One of them (M. the bishop of Nantes) mounted the pulpit, and proclaimed in Latin the decree for opening of the council. (Here follows the translation:)

“Most illustrious and very reverend Seigneur—most reverend father, may it please you, for the honour and glory of the holy and undivided Trinity, the Father, the Son, and the Holy Ghost, for the increase of the exaltation of the faith of the Christian religion, for the peace and union of the church, to decree and declare that the national council has commenced.” Then the cardinal, the celebrant, and president said, “The decree has pleased the fathers: in consequence, we declare that the national council is formed.”

The *Te Deum* was then chanted, after which a new decree was made public, on the manner of conducting themselves in the council—*De modo vivendi in concilio*. The muster-roll of the fathers' names was then called over, to which each in his turn answered, *Adsum*—(Here I am). The suffrages having been collected in the usual form, the president proclaimed a decree on the profession of faith. All the members made the profession individually, and thus ended the first sitting.

HOLLAND.

To show the severity of police

to which the Dutch are exposed under their merciless task-masters, we need only mention, that the exchange at Amsterdam must be shut by three o'clock—the streets leading to it must be immediately evacuated; and all who shall be found in them afterwards are to be treated as disturbers of the public peace. Not more than three persons are permitted to stop and talk in the streets!

To drain the Dutch population of all its effective members, a corps is raising under the title of the King of Rome's body guards!

The Jews domiciliated in Holland have found it necessary to appeal from the lieutenant-governor the duke of Placentia to Bonaparte, on the subject of the conscription, which had been enforced with much rigour against them.

The deputation of that nation, after a three weeks' residence in Paris, obtained of Bonaparte that their brethren should be placed on the same footing as the Hollanders, and permitted to find substitutes.

#### SPAIN AND PORTUGAL.

Marshal Beresford, in a late address to the Portuguese troops, after praising their discipline and patriotism, and thanking them for their good conduct, concludes by saying, that he considers it an honour to be in any way connected with a nation he so greatly admires; and which will find in discipline the only auxiliary necessary to their natural and hereditary valour, to deliver them from the tyranny with which the enemy threatens them.

General Castanos' account, to the regency of Cadiz, of the battle of Albuera, has been received; it agrees in all material particulars with general Beresford's. Castanos computes

computes the enemy's loss at 7,000 men. It is gratifying to learn that the utmost harmony prevails between the allied chiefs.—Lord Wellington, previous to the battle, proposed that on the junction of corps, the command should always devolve upon the officer of the highest military rank : this would have given the command of the allies to general Castanos ; who, however, in this delicate point, acted most judiciously ; for he declared that the general who has the greatest force under his orders ought to have the chief command, the others being considered as auxiliaries.

During the hottest of the action at Albuera, an officer, ensign Thompson, was called upon to surrender the colours he held ; but he declared he would give them up only with his life, and he fell a victim to his bravery.—Another officer, ensign Walsh, had the colours he held broken by a cannon ball, and was severely wounded,—having fallen on the field, he tore the colours from the staff, and thrust them into his bosom, where they were found after his death.—Sir W. Beresford was also attacked by one of the Polish cavalry, whom he dismounted, with the intention of preserving his life ; but the man, persisting in his first design, was at length killed by a dragoon.

When the Polish lancers make a charge, a red flag is suspended at the end of every lance, and that flag is so carried by the rider as to prevent the horse from seeing any other object. These red flags, in the late action, terrified our horses, and rendered every effort impracticable to make them meet the charge.

The Polish lancers, who committed such cruelties on our wounded (among whom major. Brook, together with several others, were

put to death by them), are said to have been overtaken during the retreat by the 3d and 14th dragoons, who killed and wounded a considerable number of them.

#### GERMANY.

The art of rising and moving in the air by means of wings continues to engage the attention of a number of persons in Germany. At Vienna, the watch-maker Degen, aided by a liberal subscription, is occupied in perfecting his discovery. He has recently taken several public flights in the Prater. At Berlin, Claudius, a wealthy manufacturer of oil-cloth, is engaged in like pursuits : he rises in the air without difficulty, and can move in a direct line at the rate of four miles an hour ; but his wings are unwieldy, and he cannot turn round in them. At Ulm, a tailor named Berblinger, announced on the 24th of April, that he had, after great sacrifice of money, labour, and time, invented a machine in which he would, on the 12th of May, rise in the air and fly twelve miles.

The following account of a literary prodigy is extracted from the *Moniteur* of the 28th of May last, under the head of *Kingdom of Westphalia, Göttingen, May 20* :

“ For these eight months we have had among the students of our University, a boy 10½ years old, who is a real phenomenon. The name of this young *savant* is Charles Witte. He understands the languages, history, geography, and literature, as well ancient as modern : at the age of eight years he possessed, besides his mother-tongue, Greek, Latin, French, English, and Italian, to such a degree of perfection, that he could not only translate, currently, the *Æneid* of

of Virgil and the Iliad of Homer, but could, besides, speak, with an astonishing facility, all the living languages which have been just mentioned. Of this, he last year gave such satisfactory proofs in a public examination, which he underwent at the university of Leipsic, that that body honoured him with the following diploma :

“*Almae Universitatis Lipsiensis Rectore Carolo Gottlob Kuhnio, &c. &c. Carolus Witte Lochaviensis puer IX annorum, propter præmaturam eximiamque in iis quibus non puerilis, sed adolescentium ætas imbui solet, solertiam; potissimum verò linguarum antiquarum Græcæ ac Latinæ, item recentiorum Franco-gallicæ, Anglicæ, Etruscæ, notitiam haud vulgarem, quam à nemine nisi à patre Carolo Henrico Godofredo unico et solo præceptore accepit. Exemplo plane singulari non modo albo Philyriz (Leipsic) insertus, verum etiam datâ fide, civibus Academiæ nostræ adscriptus est.*”

“Till his arrival at Gottingen, this child had no other instructor than his father, the clergyman Witte. His majesty the king of Westphalia, desirous that he should continue to direct the studies of his son to their termination, has granted him a pension, which has enabled him to quit his pastoral functions, and to accompany his pupil to our university. The young Witte is now studying philosophy : he is engaged in a course of mathematics, physics, and metaphysics, and shows the most happy disposition for all the sciences.”

#### RUSSIA.

The following remarkable instances of longevity occur in the bills of mortality for the whole extent of the Russian empire, du-

ring the year 1809 :—Died, 307 persons between the age of 95 and 100 ; 188 between 100 and 105 ; 86 between 105 and 110 ; 36 between 110 and 115 ; 23 between 115 and 120 ; 8 between 120 and 125 ; 5 between 125 and 130 ; 1 between 130 and 135 ; 1 between 135 and 140 ; 1 between 145 and 150 ; and 1 between 155 and 160.

#### PRINCE'S FETE.

19. A most splendid fête was given by his royal highness the prince regent this evening, with a two-fold motive.—First, in honour of the birth-day of his august parent ; and secondly, to benefit the numerous classes of British artists, who, by the illness of the sovereign, and the discontinuance of the accustomed splendour of the court, had been deprived of many advantages. The regent, therefore, feeling for their interests, requested the attendance of his invited guests in habits of the manufacture of their native land. The company began to assemble at nine. The royal family, with the principal nobility and gentry, came early. The full bands of the three regiments of foot guards, and the prince regent's band in their full state uniforms, played alternately the most delightful marches, &c. The Grecian hall was adorned with shrubs, and an additional number of large lanthorns and patent lamps. The floor was carpeted ; and two lines, composed of yeomen of the guard, the king's, the regent's, the queen's, and royal dukes' servants, in their grandest liveries, formed an avenue to the octagonal hall, where yeomen were also stationed, and which was decorated with antique draperies of scarlet trimmed with gold-colour, and tied up by gold-coloured cords and tassels. In the hall were

were also assembled, to receive the company, generals Keppell and Turner, colonels Bloomfield, Thomas, and Tyrwhitt, together with lords Moira, Dundas, Keith, Heathfield, and Mount Edgcombe. The prince entered the state rooms at a quarter past nine. He was dressed in a field-marshal's uniform, wearing the ribband and gorget of the order of the Garter, and a diamond star. The duke of York was dressed in a military, and the duke of Clarence in a naval uniform. Just after the prince came in, the royal family of France arrived, and were received most graciously. Louis XVIII. appeared in the character of the comte de Lisle. During the evening the prince regent passed from room to room, devoid of all ceremony, conversing with the utmost cheerfulness with his guests. The general amusement of the company for some time was perambulating the halls and apartments on the principal floor. The grand circular dining-room, in which the knights of the garter were recently entertained, excited particular admiration by its cupola, supported by columns of porphyry, and the superior elegance of the whole of its arrangements. The room in which the throne stands is hung with crimson velvet, with gold laces and fringes. The canopy of the throne is surmounted by golden helmets with lofty plumes of ostrich feathers, and underneath it stands the state chair. Crimson and gold stools are placed round the room. It contains pictures of the king, queen, prince regent, and duke of York. We have not space to give a description of the other different apartments on this floor, all of which are of the most magnificent kind. The ball-room floors were chalked in beautiful *arabesque*

devices. In the centre of the largest were the initials G. III. R. It was divided for two sets of dancers by a crimson silk cord; but owing to the great number of persons, and the excessive heat of the weather, no dancing took place in this room; nor were the dancers numerous in the ball-room. The first dance was led off by earl Percy and lady F. Montague.—Supper was announced at two, when the company descended by the great staircase to the apartments below, and the temporary buildings on the lawn. The room at the bottom of the staircase represented a bower, with a grotto, lined with a profusion of shrubs and flowers. The grand table extended the whole length of the conservatory, and across Carlton-house, to the length of 200 feet. Along the centre of the table, about six inches above the surface, a canal of pure water continued flowing from a silver fountain beautifully constructed at the head of the table. Its banks were covered with green moss and aquatic flowers; gold and silver fish swam and sported through the bubbling current, which produced a pleasing murmur where it fell, and formed a cascade at the outlet. At the head of the table, above the fountain, sat his royal highness the prince regent on a plain mahogany chair with a leather back. The most particular friends of the prince were arranged on each side. They were attended by sixty serviteurs; seven waited on the prince, besides six of the king's and six of the queen's footmen, in their state liveries, with one man in a complete suit of ancient armour. At the back of the prince's seat appeared *aureole* tables covered with crimson drapery; constructed to exhibit with the greatest effect a profusion of

of the most exquisitely wrought silver-gilt plate, consisting of fountains, tripods, epergnes, dishes, and other ornaments. Above the whole of this superb display appeared a royal crown, and his majesty's cypher, G. R., splendidly illumined. Behind the prince's chair was most skilfully disposed a side-board covered with gold vases, urns, massy salvers, &c., the whole surmounted by a Spanish urn taken from on board the "invincible armada." Adjoining to this were other tables running through the library and whole lower suite of rooms; the candelabras in which were so arranged, that the regent could distinctly see and be seen from one end to the other. The regent's table accommodated 122, including the royal dukes, the Bourbons, and principal nobility. On the right hand of the regent was the duchess of Angoulême, on the left the duchess of York, the princess Sophia of Gloucester, &c. From the library and room beyond, branched out two great lines of tables under canvass far into the gardens, each in the shape of a cross, all richly served with silver plate and covered with the delicacies of the season. When the whole company was seated, there was a line of female beauty more richly adorned, and a blaze of jewellery more brilliant, than England ever probably displayed before. Four handsome marquees were pitched on the lawn of Carlton-house, with a *chevaux-de-frise* to prevent all intrusion: bands of music were stationed in the tents; and when dancing commenced, the gay throng stepped over floors chalked with mosaic devices, and moved through thickets of roses, geraniums, and other fragrant sweets, illumined by variegated lights that gleamed like

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stars through the foliage. The upper servants wore a costume of dark blue trimmed with broad gold lace: the others wore state liveries. The assistants out of livery were dressed uniformly in black suits with white vests. The company did not separate till six in the morning. His royal highness was every where, and divided his attentions with the most polished address. The company comprised all the members of administration, the foreign ambassadors, the principal nobility and gentry in town, the most distinguished military and naval officers, the lord and lady mayoress, and the principal aldermen and magistrates.—The gentlemen wore court dresses and military and naval uniforms.—The ladies wore all new dresses of English manufacture, principally white satins, silks, lace, crape, and muslins, ornamented with silver: head-dress, ostrich feathers and diamonds.—For the gratification of the public at large, the magnificent preparations for the fête were permitted by the prince regent to remain; and many thousands were delighted by the sight; which, however, we are sorry to say, did not close without some serious accidents.

*Sir Francis Burdett v. Colman.*

Although want of room prevents our giving a full report of this trial, we lay before our readers the charge of lord Ellenborough to the jury.

His lordship said that it was most becoming and honourable to the bar, that advocates should be always found there bold and firm in supporting the cause of justice. It was also fortunate that they should be found (as the learned counsel who had just replied) respectful and obedient to the decorum of the

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court, and to those who sat to administer justice there. The question now for the jury was of the narrowest compass possible; and it was merely, whether, in executing the warrant under which sir Francis Burdett was apprehended, the sergeant-at-arms had used more violence than was necessary. The right of the sergeant to seize sir Francis Burdett by the warrant was admitted by his pleading. The use of the military was the ground of the question; and the verdict of the jury must be directed to the consideration of its necessity, and the degree of violence used. The use of the military on this occasion was two-fold—first, for arresting sir Francis Burdett; and secondly, for escorting him to the Tower. Those were (if the phrase might be allowed) consecutive operations. There was no doubt started of the necessity of the military for an escort. The conveyance to the Tower would have been absolutely impracticable without an escort. The whole hung on the use of the military in the house. There was no longer any question as to the right of entering. And what was the extent of the violence there? The soldiers, as was given in evidence, stayed below, and offered no injury, no insult, no disturbance to the family. Thus far went the evidence of Mr. Jones Burdett. Not but that violence might have been justifiable, not but that they might have used the means in their power to any length that was required for the actual execution of their duty. The execution of the warrant was their duty, and their single duty. The wit of man could not conceive a more gentle mode than that in which the defendant commenced the execution of his share of the duty. If Mr. Colman

were at all blameable, it was not for any defect of mildness in the conduct of the affair. If another person not accustomed to the high and gentleman-like feelings of Mr. Colman had been intrusted with the warrant, it would have been immediately put in execution: those four hours would not have been allowed to intervene between its issue and sir Francis Burdett's incarceration. If a common bailiff or peace-officer had been ordered on the service, he would not have exhibited any of that (as it might be termed) mischievous gentleness of Mr. Colman—he would have done his duty at once. But was it possible to conceive any thing containing less of irritation, or insult, or violence, than the first communication of his business to sir Francis Burdett?—Lord Ellenborough here read Mr. Colman's letter announcing the warrant. He then read sir Francis Burdett's answer; and observed on the words "that he would be at home to receive him:" that the natural construction was, that he would submit to the warrant, though the words were liable to the other construction which had been put upon them. Sir Francis Burdett's letter to the speaker stated, that "he must submit to superior power;" and the learned counsel argued ingeniously that by this superior force was merely meant the dignity of the house. But when those words were coupled with the chaining of the door, and the order not to admit any person, the meaning of the words was reduced to mere rude force. When the state of the metropolis at the time was considered; the attack on the hotel; the attacks on the houses in St. James's square; how would Mr. Colman have been excusable if he had not brought  
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that overawing force which put an end to the idea of resistance all at once? There was no charge on the sergeant in the conveyance to the Tower. Though no evidence on the subject had come formally before the court, it was admitted on all hands, that in the coach which conveyed sir Francis Burdett there was no offer of insult, or jest, or any other unbecoming acts of ill-treatment, which might be supposed to irritate a person under his peculiar circumstances. There was no excess of violence in all this. In the house there were 50 or 60 soldiers drawn up in the hall, who behaved respectfully, and formed a passage for sir Francis Burdett to the carriage.—Lord Ellenborough here told the jury that he thought it unnecessary to enter into the detail of the evidence which they had so largely heard; but that, if any one of them wished it, he would go through the whole. The question had no reference to the authority of the house of commons; it turned simply upon the degree of violence which might have been used; and upon that, and that alone, the jury were to give their verdict.

The jury, without hesitation, found a verdict for the defendant.

27. The governors of the Charter-house met last week to elect a new governor in the room of lord Melville. There were two candidates—the archbishop of York and the earl of Harrowby. The votes were equal, seven and seven; in which case, by the statutes, the nomination devolved on the prince regent, in behalf of his majesty. His royal highness, not choosing to give a preference to either of the two distinguished persons, has nominated his own personal friend, the earl of Moira.

# INSTALLATION OF HIS HIGHNESS THE DUKE OF GLOUCESTER, CHANCELLOR.

*Cambridge, Friday, June 28.*

In the morning a selection of sacred music was performed in St. Mary's church. The concert at the Senate-house in the evening was brilliantly attended, and the performances excellent. At seven o'clock in the evening the chancellor elect arrived at Trinity College in his coach-and-six, accompanied by his suite. His highness proceeded up the walk, on each side of which the fellows of the college and other persons had arranged themselves, and was received at Trinity Lodge by the bishop of Bristol, master of the college. At eight the vice-chancellor and heads of houses paid their respects to him.

*Saturday, June 29.*

The company assembled at the Senate-house doors; and at 11, when opened, it was soon filled. The upper division of the Senate-house was occupied by noblemen, doctors, and their families, and those of their visitors who were titled. The seats from the doctors' division to the statues of the kings were occupied by masters of arts and those ladies and gentlemen admitted by them. The front seats of the gallery were appropriated to ladies, and the other seats to bachelors of arts and undergraduates. The music-gallery was filled by the band. The appearance at the Senate-house was in the highest degree brilliant, the noblemen, doctors, &c. being in their robes, and the ladies being dressed in a very superb manner. At 12 a deputation, consisting of six doctors (two in each faculty), six non-regents, and six regents, went to the chancellor elect at Trinity Lodge, whence, dressed in his  
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ellegant robes, preceded by a bedel, attended by the deputation, and accompanied by those distinguished heroes, sir Sidney Smith and sir Eyre Coote, general Murray, and a number of other officers, his highness proceeded to the Senate-house. At the steps he was met by the vice-chancellor and two bedels, the senior of whom wore a gold chain presented to him by the chancellor. The vice-chancellor walked at the left hand of the chancellor; they then ascended the chair of state, his highness standing on the left hand of the chair, and the vice-chancellor on the right. The band played the coronation anthem as his highness entered the Senate-house, and all the company (near 3,000 persons) stood up, and greeted him with acclamations. The overture being ended, the vice-chancellor addressed his highness in an excellent English speech, of which the following is the substance :

The vice-chancellor adverted to the exemplary pattern which had been shown by his royal highness in the pursuit of his studies while at College, a pattern which had ever been regarded by the different members of the University with admiration, and which had afforded them the strongest assurances of the deep interest his royal highness would take in its interest and welfare. With those feelings, unaltered as they had been by time or circumstances, the University felt proud in having the opportunity of requesting his royal highness's acceptance of the highest situation they had it in their power to bestow, which they did with a perfect confidence that his royal highness would prosecute the honour, credit, and interests of their community with the most unremitting indus-

try; convinced as they were, that the same zeal which he had exercised for their prosperity after he had quitted his studies, would be exerted in the capacity of their chancellor, a situation for which, on every account, he was eminently qualified. In addition to other causes of gratitude, it was impossible to be insensible of the honourable distinction of his royal highness's admission at Cambridge; a distinction peculiarly valuable, as he was the first and only member of the royal family then on the throne who had received his education at an English university. Were it proper for him to expatiate on the conduct of his royal highness since he left College, he could dwell with peculiar pleasure on the well-known ardour with which he obeyed the call of his country in the hour of danger; he could dwell on the laudable desire evinced by his royal highness to render still greater services to the state by his travels in the remotest parts of Europe in the pursuit of useful knowledge; and lastly, he could dwell with the deepest sensations of delight on the universally-admired humanity of his royal highness, by which he had been actuated not alone to relieve the distresses of his fellow-creatures in the most bounteous manner, but to take a distinguished part in the suppression of that disgraceful traffic by which so many thousands of human creatures had been condemned to the most horrid and unjustifiable slavery. It was enough, however, for him to confine himself to the virtues which his royal highness had displayed while in that community; virtues which must ever live in his memory, and in the hearts of all who were acquainted with him. He could not omit to express his fullness of

of gratitude, for the obligations which the University had received from the present royal family, to whom their constitution and laws were so peculiarly indebted for protection. The doctor then took a short review of the many illustrious men in the field and the cabinet who had received their education at this University; and expressed a hope that the merits of those still living would be transmitted to future ages; concluding by declaring a confident hope, that his royal highness would, upon all occasions, be the faithful guardian and protector of the valuable rights and privileges of the University.

He then presented his highness with the patent of office, elegantly written on vellum, the seal being annexed thereto in a gold box:—the patent was read aloud by the senior proctor. He then presented to his highness the Book of Statutes. After which, the vice-chancellor taking his highness's right hand in his own, the senior proctor administered the oath of office. His highness was then seated by the vice-chancellor in the chair of state, and thereby installed. [The acclamations of the audience were of long continuance, and his highness bowed in the most graceful manner.]

After a pause, the public orator (the rev. Ralph Tatham, of St. John's College) addressed the chancellor in a Latin oration, delivered with peculiar grace and emphasis; the chancellor sitting in his chair, the earl of Hardwicke, high steward of the University, sitting on his left hand, and the vice-chancellor on the right; the company sitting uncovered as a mark of respect to his highness.

The orator having finished, the chancellor rose from his seat, and,

taking off his cap, replied to the vice-chancellor and orator in a most excellent English speech, delivered with that dignity and grace for which he is so justly distinguished.

His highness declared himself deeply impressed with a sense of the honour they had done him in placing him at the head of an University which had ever evinced its favour and unalterable attachment to the civil and religious rights of the country.—For so distinguished a mark of their respect, his most heartfelt acknowledgements were due. He had always entertained the highest veneration for that august body; and should consider that the proudest day of his life, on which he had been called, in a manner so truly flattering, to that chair. It was a proof of confidence for which it was impossible for him to express his thanks in adequate terms, and became doubly valuable as he was the first of his family who had been educated in that University, which had upon every occasion so strenuously supported the principles which had seated the house of Brunswick upon the throne.—He had the gratification, however, of stating, that they could not have chosen one more truly attached to their interests, or more desirous of protecting their rights and privileges than himself. When he reflected on the state of the surrounding countries, he could not but feel happy at the fate of Great Britain, the safety and welfare of which he attributed to the blessings of its glorious constitution, supported as it had been by the wisdom, the loyalty, and the courage of its inhabitants; and when he knew that this happy consequence was the result of education, he could not but regard that place with infinite delight, as one of the sources of disseminating

seminating the knowledge from which so much superiority had been derived. Here had been reared some of the most eminent statesmen the world had ever witnessed, and to this University the nation was justly indebted for some of its most able defenders. Here the heroes of Cressy and Poitiers received their education; and from this place also had gone some of those heroes whose deeds of valour had crowned them with immortal honour, and afforded new proofs of that spirit and energy which had ever characterized the British name.—He felt proud of having received a public education, and that pride was considerably increased in having received it at the university of Cambridge. His royal highness concluded with repeating his expressions of gratitude for the honour which had been conferred upon him, and by declaring the sincere pleasure he should always feel in visiting *Alma Mater*, and his firm intention, whether absent or present, to make the prosperity of the University the object of his constant solicitude. [The company stood uncovered during the chancellor's speech, which was rapturously applauded.]

The installation ode, written by William Smyth, esq. of Peterhouse, professor of modern history, and set to music by professor Hague, was performed in an exquisite manner; the vocal and instrumental performers being the most celebrated in the kingdom.

The music being ended, the chancellor proceeded in grand state procession to the lodge of Trinity College. A very sumptuous dinner was given by his highness to the University and its illustrious visitors (nearly 1,000) in the cloisters of Neville's Court; in that college,

which forms an elegant square, a temporary awning being erected on that end which is open. The dinner and dessert consisted of all the delicacies of the season.

In the evening the chancellor attended a concert in the Senate-house; and afterwards gave a cold collation in Trinity cloisters. The company (about 3,000) were entertained with a brilliant display of fire-works; the effect of which (more particularly the water-rockets and fireships, which were let off on the river) were excessively pleasing. The duke's band, stationed under the marquee in the centre of Neville's Court, played all the time.

30. In ploughing up a field at Withington, six miles from Cheltenham, and two from Frogmill, the property of H. F. Brooke, esq. of Henbury, near Bristol, a beautiful tessellated pavement was lately discovered. Mr. Lysons and other gentlemen are now employed in examining these fine remains. The site of a villa 150 feet in length has been ascertained; and seven rooms clearly traced. The pavements are enriched with drawings, in high preservation, of Neptune, Orpheus, animals, birds, fishes, &c. An hippocast, or sweating-room, with its fines, and several pillars of considerable magnitude, are visible. Whatever part could be removed with safety has been presented by Mr. Brooke to the British Museum. It is the intention also of Mr. Lysons to publish a description of the whole; and judging from what this indefatigable antiquary has already done for Woodchester, Horkstow, &c. &c. we most sincerely congratulate the public that such valuable materials have fallen into the hands of a gentleman who is so well able to describe and appreciate them.

At

At the late examination of the students at the East India college at Hertford, the following prizes were awarded to Mr. Henry Wm. Hobhouse, son of H. Hobhouse, esq. The first prize for theology, a gold medal; the first prize for classics, a gold medal; the first prize for political economy and history, a gold medal; the first prize for Sanscrit, a gold medal; the first prize for Persian, a gold medal; the first prize for French, books;—an instance of talents, application, and success, among numerous juvenile competitors, probably unparalleled.

## JULY.

## MR. CURRAN'S LETTER.

The following curious political correspondence is given in proof of how little value our public men set upon the emoluments attaching to their offices. We might refer on this occasion to the speeches of Mr. Canning, the lord chancellor and others, who have more than once made professions of the kind; but the tenor of the following article is a better illustration of the fact than can be obtained from mere speeches and professions.

The letter, of which the following is the substance, appeared in The Dublin Evening Post, and is addressed to Mr. Grattan. It is dated as far back as April 1808.

Mr. Curran, in the commencement of his letter, after stating to his friend that the detail he was about to give was imperiously called for by the aspersions which had been cast on his character, proceeds thus:

"You will remember the state of Ireland in 1769; and the necessity under which we found ourselves, of forming some bond of honourable connexion, by which

the co-operation of even a small number might be secured, in making some effort to stem that torrent which was carrying every thing before it. For that purpose our little party was formed—it consisted of yourself, the duke of Leinster (that excellent Irishman), the late lord Ponsonby, Mr. B. Daly, Mr. G. Ponsonby, Mr. Forbes, myself, and some very few others. It may not be for us to pass encomiums upon it; but we are entitled to say, that had it been as successful as it was honest, we might now look back to it with some degree of satisfaction. The reason of my adhering to it is, that, under the sanction of that party, and in its presence, it was agreed between Mr. G. Ponsonby and me, that if any circumstances should arise, under which it might be honourably open to us to accept office, it should be on the terms of his taking the first, and my taking the second place in the course of professional advancement. That this was no paltry compact, with any view to the attainment of preferment, was obvious, for either of us could at any time command it; it was solely a pledge to secure our co-operation and perseverance in what we deemed our public duty. With what fidelity I adhered to every part of the engagements we then formed, you well know; and you also know at what sacrifices, and under what professional persecution, and what implacable and successful attacks upon my person, my character, and my fortune. I so acted, as to be fully entitled to perfect reciprocity of good faith; and to consider the performance of the personal part of the compact, as a matter, not of favour, but of right, which I might receive like the payment of any common debt, without

(F 4)

being

being crushed by the humiliating sensation that I must have felt, if my debtor, by such payment, could become my patron or benefactor. Upon the basis of this compact, which was always publicly known, and adopted by lord Fitzwilliam, in 1795, Mr. G. Ponsonby was then nominated to the office of attorney-general, I to the place of solicitor-general. The completion of that arrangement was prevented by the change of the Irish administration; the compact itself continued, and with increased force (if by the continued fidelity of observance, compact can be susceptible of accessional obligation), till the late change in 1806. On that occasion I was the only interested member of that party that remained in Ireland. I did not write to any of my friends in London; not to lord Ponsonby; not even to you. I knew your zeal for my interest; I knew the friendship and purity of lord Ponsonby—I was sensible of the warm protection of Mr. Fox, to which I had no claim, save what might be suggested to a noble and generous spirit, like his, by my conduct as a public man; I knew, also, the protection my interests would have found in lord Moira, lord Erskine, or lord Howick, had such protection been necessary. I felt no solicitude for myself; I remained at home; the event justified my confidence. Mr. G. Ponsonby accepted the seals; a proof, of itself, that I must have been appointed to the next attainable situation. The next situation could be no other than *the office of attorney-general*; it was the only place in the power of the new administration to vacate; from its official rank in the government, it was the natural passage to that place on the king's bench, to which, as next in profes-

sional advancement, I had a right to succeed. But on this fact I was not left to conjecture. I was apprised by letter from you, and also Mr. G. Ponsonby, that my interests had been taken care of; Mr. G. Ponsonby communicated the same to a relation of mine, then in London, directing him to inform me that my place *as attorney-general* was fixed, and that my coming over would be but unnecessary trouble.

"The duke of Bedford soon after arrived in Ireland; and Mr. G. Ponsonby as chancellor became an Irish minister. At our first meeting, he assured me, somewhat in the style of his previous letter, that my friends had not been unmindful of me, and that I should find every thing perfectly to my satisfaction. In a few days, however, I learned that the duke of Bedford had sent for Mr. Plunkett, the then attorney-general, and assured him that he was not to be removed. It soon appeared that the report was true. To me the fact was incomprehensible. Mr. G. Ponsonby left it in all its darkness; for when we met, which was by accident, he was silent upon the subject. I soon received a letter from lord Ponsonby, then confined in London by that sickness which was soon to terminate his valuable life; it was conceived in such terms as might be expected from the friendship and honour of the writer. He expressed indignation at the delay which had taken place in effecting that arrangement, which he had considered conclusively settled; desiring most anxiously to have it explained. This letter I showed to Mr. Ponsonby; but without receiving any explanation whatsoever, I wrote to lord Ponsonby such an answer as he had a right

a right to expect from the affection of a man, to whom he had endeared himself by so persevering a fidelity, and by the uninterrupted friendship of so many years; such facts as I knew, I stated; but I had no explanation to give. It would be affectation in me to say, that under these circumstances I was perfectly at ease. I might despise the triumph of my enemies: I could not be insensible to such coldness from a friend.

"After a lapse of some weeks I waited upon the duke of Bedford, by his grace's desire; he apprised me that I was to be master of the rolls, as soon as the necessary arrangements were effected. You may easily judge of my feelings on this communication; but it was the first time I had ever seen the duke of Bedford; I had no shadow of claim upon his grace; he was not the person to whom I could complain that I was humbled or ill-treated; I barely said that 'I was grateful to his grace for the courtesy of the communication;' and retired with an almost decided purpose to decline the appointment. This substitution I considered a *direct departure from the compact* with Mr. G. Ponsonby, and accompanied by the aggravation of withholding that consultation and explanation, without which, and without my own express consent, I ought not to have been so disposed of. As to the place itself, it was the last I should have chosen: it imposed upon me a change of all my habits of life; it forced my mind into a new course of thinking; and into new modes of labour, and that, increased labour; it removed me from that intellectual exercise which custom and temper had rendered easy and pleasant; it excluded me from the enjoyment of the

honest gratification of an official share in an administration which I then thought would have consisted principally, if not altogether, of the tried friends of Ireland. When the party with which I had acted so fairly, had, after so long a proscription, come at last to their natural place, I did not expect to have been *stuck into a window*, a spectator of the procession. From the station which I then held at the bar, to accept the neutralized situation of the rolls, appeared to me a descent, and not an elevation;—it had no allurements of wealth; for, diminished as my income had been by the most remorseless persecution for years, by which I was made to expiate the crime of not being an alien to my country by treachery or by birth, it was still abundant when compared with my occasions, and was likely to continue so as long as those occasions should last."

Mr. Curran then mentions a variety of reasons, which, together with the solicitations of his friends, prevented him from tendering a refusal, and thus proceeds:

"At my next meeting with Mr. G. Ponsonby, which was purely casual (for I did not seek it), he asked me if I had not seen the duke of Bedford? I said 'Yes;' he said he hoped every thing was to my satisfaction. I answered, 'His grace's reception of me has been extremely courteous.' Even then, not a word of explanation from Mr. G. Ponsonby. He merely informed me, that sir Michael Smith should be treated with on the subject of his resignation. And I must confess, that he presented my condition in a point of view which excited no ordinary sensation: for I now saw, that instead of coming into the stipulated situation by an undisputed claim

claim of right, and without the burden of one shilling expense to the country, I was flung upon the precarious chance of a place, which, if achieved at all, could be obtained only by a charge on the public, and rendered additionally disgusting to me by the appearance of a job.

"At last, after delays perhaps not easy to be avoided, but certainly affording ample time for the triumph of my enemies and the vexation of my friends, both of whom looked upon me as insulted and abandoned, that treaty took place *without any participation of mine*, and without the remotest hint that it could involve any stipulation or guarantee on my part. I was informed by Mr. G. Ponsonby, that the arrangement was completed; that sir Michael was to resign, on the terms of receiving the retiring salary; and also, upon a promise by the government, that his deputy Mr. Ridgeway should get a place of 600*l.* per ann. if such place should become vacant before the 25th of March ensuing, until which time no addition could be made to the pension list; and if no such vacancy should occur before that day, he should then be placed on the pension establishment for 500*l.* a-year for his life, and that a provision, by pension, to the amount altogether of 300*l.* a-year, was also to be made for three inferior officers of sir Michael's court.

"Had any idea of any stipulation whatever on my part been suggested, feeling as I did, I could not have borne it—for, see how it would have stood: On my part, it would have been a direct purchase of a judicial office. The purchase could not be made good out of its own income, which could last only to my death or resignation; for these

annuities were for the lives of four other persons, and worth at least 8,000*l.*; with this 8,000*l.* therefore, I was eventually to charge my private fortune; for this sum I was to buy the disappointment of an expectation which I thought certain, and to commit a breach of the law and the constitution.

"But if I could have dispensed with the matter of purity, another question remained: Was this change between my professional and a judicial situation so to be obtained, worth the sum of 8,000*l.*? There would have been, therefore, two previous questions to decide; a question of crime and a question of prudence: if I had consulted a moralist upon the one and a Jew upon the other, what would have been the answer? I should not, therefore have submitted for a moment, I should have snapped the thread in such a manner as would have made it impossible to splice it, and have felt pleasure in being restored to my liberty."

Sir M. Smith resigned, Mr. Curran succeeded; some months elapsed, and no place was given to Mr. Ridgeway.

"So things rested until a very few days previous to the 25th of March, when Mr. Elliott requested of me to find out the names of those persons belonging to sir Michael Smith, and send them to him, that their business might be settled before the government should resign. Sir Michael happening to come to town that very day, I apprised him of Mr. Elliott's desire, and accordingly I sent him the names. I soon learned from mere rumour, that the pensions were not granted, though the government continued till towards the end of April. I learned it afterwards from Mr. G. Ponsonby himself, who

who spoke of it with regret, as a circumstance vexatious to sir Michael; but without the remotest allusion to any interest or concern, that he himself, or that I, could possibly have in the matter; nor did he say any thing whatever as the cause of this disappointment. As to the duke of Bedford, I could not but think with every body else, that the transaction was merely between sir Michael and the Irish government, without any possibility of relation to the person of the viceroy. After some time, I met a friend of ours, accidentally; he introduced the circumstance of the disappointment of Mr. Ridgeway and the three other persons. In what passed, he appeared to me to speak merely from the casual suggestions of his own mind.—I had not then, nor have I now, any idea that he spoke at the instance of Mr. G. Ponsonby, or that he meant to convey any distinct proposition whatever. He expressed much concern at the accident, as extremely unlucky. I inquired how the disappointment could have been occasioned. Of this he seemed uninformed; but he asked me if I did not think something ought to be done by us. I answered, that I was utterly ignorant upon the subject; that I considered myself from the moment Mr. G. Ponsonby became chancellor, as most unkindly treated by him, from whom alone I could derive any information; that I did not see what we should do on the occasion, or, indeed, why we should do any thing. We met a second time in the same casual way; he asked me if I had thought any more upon the subject of our last conversation; I answered, that I had heard nothing more about it; and of course that I thought as I did before.

Had he come to make any demand upon me on the part of Mr. G. Ponsonby, I should have expected to be distinctly informed why the arrangement made in London, in pursuance of my *original compact* with Mr. G. Ponsonby, had not been observed in Dublin? why the hopes of sir Michael had been disappointed? why I had never been consulted upon either subject? how the non-performance to sir Michael could throw liability on me? I considered the suggestion as the mere effusion of good nature; the mere result of kindness, and not of reflection—because, taken in any other way, it would have come simply to this: ‘Sir, you have entered many years ago into a compact: you have observed it faithfully; you suffered deeply by that observance: when the time of performing it to you arrived, it was ratified in London; in Dublin, the substitution of something else, supposed to be a performance, was adopted without your privacy or consent; the substitution, too, was accompanied by collateral circumstances of much humiliation and disrespect towards you. By unforeseen events that substitution has been attended with some pecuniary charges; it is hoped, that having so patiently borne this, you will take it *cum onere*, and not think it unreasonable to defray those incidental expenses—it is trusted you will have no objection to the mode proposed, as unconstitutional or dishonourable. You have a judicial office;—all that is required of you is, to accept a lease, of that office from the deputy, and three inferior officers of your predecessor, at the small rent of 80*l.* a-year—of these four landlords there will be, the former trainbearer, tipstaff, and crier of your court. As the rent

must



must be for their lives, and not merely for yours, you will see the necessity of insuring your own—er, you may redeem the whole for the sum of 8,000*l.* if so much personal fortune has escaped the wreck to which you were exposed by your political fidelity—the entire emoluments of your office will be then generously left to your disposal!

“In some time after, I heard that Mr. G. Ponsonby had made a grant of 800*l.* per annum to Mr. Ridgeway and those three inferior officers, and this act had been represented to the public as occasioned by my want of gratitude to Mr. G. Ponsonby, my benefactor, and of personal honour as a member of the party. As to the first part of the charge, you well know how unfounded it is: thank God, I have had many friends! I am now addressing the most valued of them; but, in the sense intended, I never had a benefactor: if I had entertained any views of ambition, I could have been lifted only by a stronger wing than my own; but my journey has been on the ground, and performed on foot, and I was able to walk without the crutches of patronage. As to the allegation of any breach of just or honourable engagement, the fact of such engagement must have been with the knowledge of the duke of Bedford, of Mr. G. Ponsonby, and of sir Michael Smith; and I aver that I never was required to take any part in guarantying to sir Michael Smith that agreement of government, or being liable to him in any event for the performance; and that I never did, directly or indirectly, make any promise on the subject; and that I know not of any act whatsoever, which, to the best of my judgement, after the

most mature consideration, can warrant the allegations that have been made against me.”

In refutation of the charge of want of gratitude, Mr. Curran thus notices the prospects which the engagement of 1789 justified him in entertaining:—

“The place which I hold, was as inferior to that of attorney-general in point of pecuniary emolument as of political consequence. The professional and official income I should have derived from the latter, could not have been less than double the amount I now enjoy. That income, therefore, I should have counted upon as certain, till I passed to the chief seat on the king’s bench; a situation of equal certainty with that of the rolls—of far more dignity—of, I believe, twice the annual value—far more congenial with my habits and temper; and which I should have filled with, perhaps, more advantage to the public; certainly, with much greater pleasure to myself; and to that place the office of attorney-general would have led by the course of ordinary usage: and to that place it must have led me, because in no other way could the compact have been finally fulfilled.

“It has been said, that the attacks made upon me by enemies threw difficulties upon my friends in the course of that arrangement; and that under all the circumstances, though the compact was not fully performed, I might have been content. But what were those who attached slanders upon me in common with themselves?—slanders provoked by a conduct of which my friends as well as myself have reason to be proud—slanders cast upon me by the very men whose want of wisdom or humanity threw upon me the

the necessity of adopting and pursuing that conduct which provoked their vengeance and their misrepresentation. Thank God! I did adopt and pursue it, under the pressure of uninterrupted attacks upon my character and fortune, and frequently at the hazard of my life. I trust that while I have memory, that conduct will remain indelibly engraved upon it; because it will there be a record of the most valuable of all claims—a claim upon the gratitude of my own conscience. But, at most, what could the supposed difficulties be?—Was it more than to say, ‘a friend cannot be less dear, or a compact less sacred, because that friend has been falsely aspersed?’ I know that malice against me was then most active, because it was then most interested; but I can scarcely imagine any distillation of slander so highly rectified as to dissolve a compact. And here, surely, it is not very necessary for me to say, that had much difficulty really arisen, I would not have permitted for a moment any consideration personal to myself to stand in the way of an arrangement from which the friends of Ireland expected so much advantage.”

After a variety of further observations, Mr. Curran thus concludes;—

“The other object of my letter is to request you will communicate with Mr. G. Ponsonby on this subject; that you will learn from him if there be any claims which he conceives himself to have upon me, in justice or in honour; and the grounds upon which he conceives such claims to stand. I do not refer the matter to this decision—it is not for either of us to decide. Should my judgement acquiesce in

the claim, (if any can be made,) I will comply with it instantly; if it does not, I will concur in referring it to yourself, lord Moira, lord Grey, lord Erskine, lord Holland, or lord Ponsonby, or any other common friend or friends that may be appointed. I wish them to decide upon the most liberal principles of justice and of honour, what ought to be done under all the circumstances of the case.

“I am, &c.

“April, 1808. J. P. CURRAN.”

\* \* Lord Moira, lord Grey, and lord Holland, were accordingly named as arbitrators.

Copy of the engagements, which sir Michael Smith required in favour of his dependants in office, before he would resign his situation of master of the rolls; and which was sent to the late chancellor Ponsonby, at his request. “May, 1806.

“The lord chancellor engages, on the part of government, to sir Michael Smith, as follows, viz.

“1st. That as soon as conveniently may be, after the 25th of March, 1807, a pension of one hundred pounds a-year, clear of all charges for pells, poundage, or otherwise, shall be granted, in due form, to John Hevey, the late crier of sir Michael Smith, to hold to the said John Hevey, from said 25th of March, 1807, for and during his natural life.

“2dly. That a like provision of one hundred pounds a-year shall, at the same time, and in the like manner and form, be granted to James Gardiner, the late train-bearer of sir Michael Smith, to hold to him from said 25th of March, 1807, for and during said James Gardiner’s natural life.

“3dly.

"3dly. That a like pension of one hundred pounds a-year shall, at the same time, and in like manner and form, be granted to James Leonard, the late tipstaff of sir Michael Smith, to hold to said James Leonard, from said 25th March, 1807, for and during his natural life.

"4thly. That a pension of five hundred pounds a-year, or a place worth six hundred pounds a-year, not inconsistent with his profession as a practising attorney, shall at the same time, and in like manner and form, be granted to Joseph Ridgeway, esq. the late deputy of sir Michael Smith, at the rolls, to hold to said Joseph Ridgeway, from said 25th day of March, 1807, for and during his natural life."

A copy of the chancellor Ponsonby's letter to sir M. Smith.

"*Ely-place, May 28, 1806.*

"Dear sir,—I laid before my lord lieutenant the statement which you sent me, as containing the *engagement of government*, respecting the provision to be made for those inferior officers of your court who wish to retire at the same time you do, and for whose comfort you express so much solicitude; and I am authorised by his grace to assure you, that he will comply with your wishes, and fulfil the engagement as I by his permission have made it. I shall be much obliged to you (when you have taken a copy of the engagement) to send me back the original, and to write me a formal and regular notification of your wish to resign, as the letter you have just now sent me, though sufficient to authorise me to inform the lord lieutenant of your desire, is not sufficient to authorise him to recommend the acceptance of your re-

signation, the grant of your pension, and the appointment of your successor

"I have the honour to be, &c.  
"G. PONSONBY, C."

Then follows a correspondence between Mr. Hutchins, the friend of Mr. Curran, and Mr. Ponsonby, from which it appears that the reference fell to the ground; Mr. Ponsonby stating, that he felt he had nothing to refer; but that if a reference was made to any gentleman, Mr. Daly, the person who managed the whole transaction with sir M. Smith and Mr. Curran, was the properest to inform the referees upon it. Mr. Ponsonby adds in another letter, that the first statement of what was wished to be referred, should come from Mr. Curran, and when that was shown Mr. P. he would either assent or dissent to it. This Mr. Curran declined, and the reference dropped.

#### QUEEN ANNE'S BOUNTY.

7. The governors of Queen Anne's bounty have come to the resolution of advancing the sum of, 60,000*l.* for the laudable purpose of assisting clergymen in the repairs of their parsonage-houses, to be repaid to the governors in the manner prescribed by the act of parliament commonly called Gilbert's Act.

#### LORD KING'S LETTER.

The following is a copy of a letter recently sent by lord King to his tenants, and which occasioned the introduction of lord Stanhope's bill:

"By lease, dated 1802, you have agreed to pay the annual rent of —, in good and lawful money of Great Britain. In consequence of the late depreciation of paper money, I can no longer accept of any Bank

Bank notes at their nominal value in payment or satisfaction of an old contract. I must therefore desire you to provide for the payment of your rent in the legal coin of the realm; at the same time, having no other object than to receive payment of the real intrinsic value of the sum stipulated by agreement, and being desirous to avoid giving you unnecessary trouble, I shall be willing to receive payment in either of the manners following; according to your option: 1st, By payment in guineas.—2d, If guineas cannot be procured, by a payment in Portugal gold coin, equal in weight to the number of guineas requisite to discharge the debt.—3d, By a payment in Bank paper of a sum sufficient to purchase (at the present market price) the weight of standard gold requisite to discharge the rent. The alteration of the value of paper money is estimated in this manner:—The price of gold in 1802 (the year of your agreement) was 4*l.* per oz.; the present market price is 4*l.* 14*s.*; arising from the diminished value of paper.—In that proportion an addition of 17*l.* 10*s.* per cent. in paper money will be required as the equivalent for the payment of rent in paper.

(Signed) "KING.

"N. B. A power of re-entry and ejectment is reserved by deed in case of non-payment of rent due.—No draft will be received."

#### WESTMINSTER ABBEY.

9. The committee to whom the petitions of the dean and chapter of the collegiate church of Saint Peter Westminster, which were presented to the house upon the 19th day of February and the 26th day of this instant March, were referred,—having called for an account of all moneys received or ex-

pendent in the repair of King Henry the Seventh's chapel, and also for estimates relating to the same;—find that the money actually paid, up to

Dec. 31, 1810, was . . . £ 4,288

Due for work done since

Dec. 31. . . . . 1,207

Estimated to complete the

two turrets, and the centre

bay between . . . 1,075

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6,568

Estimated to repair the

south-east bay, and one

turret . . . . . 2,650

Estimated for the windows

in the centre bay . . . 55

Windows in the south-east

bay, about . . . . . 40

Carpenters' work, &c. about

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9,363

Deduct, 'already paid' . . 4,288

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Wanting to complete the

bay now repairing, and

the south-east bay and

first turret adjoining . . 5,075

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It appears, that a part of the 4,288*l.* already paid has been expended in forming moulds, and in erecting workshops, which are of course applicable to the future conduct of the whole work, although they have been defrayed out of the first sum which was voted; and therefore these articles apparently increase, beyond its due proportion, the cost of that portion of the building which was first undertaken.—There is also reason to think that the north and north-east turrets and bays will not require so large an expense as the south and south-east, so far as the mere security and stability of the building are concerned, the weather having made much deeper incursions upon the

the south and south-east front, than upon that which is opposite. The south-east bay, with its turret and flying buttress, is stated to be the most ruinous part of the whole edifice.—Your committee observe with concern, that the expenditure has already so far exceeded the parliamentary grants, as to leave the dean and chapter with a balance of only 293*l.* towards carrying on the work, provided the whole sum for which they apply by their petition should be granted; nor is there any reason to suppose that the whole sum which seems originally to have been in contemplation will be sufficient to complete the reparation, if it should continue to be conducted, by entirely casing the old work according to the present specimen.—Your committee desire to call the attention of the house to the difference between the sums voted by the house, and the sums actually received for carrying on the work, occasioned by the fees which have been taken upon the several issues, amounting in the year 1807 to 22*l.* 7*s.* 8*d.* and 3*l.* 15*s.*; in the year 1809, 117*l.* 10*s.* 4*d.*, 19*l.* 6*s.*, and 8*l.* 11*s.*; in 1810, 3*l.* 10*s.* and 133*l.* 6*s.* 2*d.*; making together 408*l.* 6*s.* 2*d.* upon the grants for 4,500*l.*—It appears to your committee, that if parliament should be pleased to make any further grants towards continuing this repair, such sum should be issued without fee or deduction.—Grants for purposes of this description do not seem to come strictly within the class of beneficial grants made to individuals or to bodies politic. In the present instance, the money is applied for and expended solely to prevent the dilapidation and decay of a great national monument of ancient taste and magnificence, consecrated to uses of a public nature;

which is the burial-place of the sovereigns of these kingdoms; and which comes immediately within the notice and observation of the two houses of parliament.

11. An action was tried in the court of common pleas, brought by Mr. Fuller, apothecary, against the executors of the late duke of Queensberry, for professional attendance for seven years and a half, during which time he made him 9,340 visits, besides attending 1,700 nights. The damages were laid at 10,000*l.* Lord Yarmouth, Dr. Home, sir Henry Halford, and Dr. Ainslie, were called by Mr. sergeant Vaughan; and they deposed as to the reasonableness of the charge, considering the sacrifice of business which the plaintiff must have made on the duke's account. The first two witnesses further stated, that, in conversations with the duke of Queensberry, his grace said the plaintiff should be paid by his executors; which was corroborated by Mr. Douglas's answer in chancery. Sir James Mansfield, but for the latter admissions, would not have held the action tenable in a court of justice, not considering an apothecary had any right to claim for attendance. Verdict for the plaintiff,—Damages 7,500*l.*

#### ROBBERY OF THE GLASGOW BANK.

12. On Sunday night last, it was discovered that the office of the Paisley union bank company, Glasgow, had been entered by means of false keys, and robbed of Scotch bank notes, bank of England notes, and cash, to the amount of 20,000*l.* Suspicion falling upon three men, who for some days preceding had been seen in Glasgow, Mr. Campbell, an officer of the police at Edinburgh, and two of the gentlemen belonging to the bank,

bank, set off in pursuit of the robbers, who, as well as themselves, travelled in a post-chaise-and-four, and whom they traced to Darlington, and from thence followed them (the London road) to Welling in Hertfordshire, where they had left a portmanteau to be forwarded to a person in Tottenham-court-road; and then came on in a chaise-and-four to town; and were put down in Coventry-street, where all trace of them was then lost: but Mr. Campbell making application at the public office, Bow-street, Lavender, Vickery, and Adkins, (three of the officers,) accompanied by Mr. Campbell, went to the house in Tottenham-court-road where the portmanteau had been directed to, and where they found a box containing a number of pick-locks, skeleton keys, and various other implements for house-breaking, and which, from being directed the same as the portmanteau, and as an inn-keeper's ticket was also found there, they had no doubt had very recently been sent to town. The officers learning that the owner of this house was at present in the rules of the King's Bench prison, went the same night to his residence in the neighbourhood of St. George's Fields, where they apprehended a well-known character of the name of Hutton White, who a few months since escaped from one of the hulks at Woolwich. White, on the officers entering the house, was going to jump out at the one pair of stairs window; but Vickery, perceiving his intention, called out to him to desist, or he would shoot him—when he returned, and was secured without mischief. On searching the house, the identical portmanteau was found that had been forwarded from Welling, but which contained

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only wearing apparel. On the person of White were found 16 guineas, and some bank of England notes.

On Friday, White and the man of the house where he was taken were examined before Mr. Read, at Bow-street, when Adkins, the governor of the house of correction, Cold Bath Fields, attended, and identified the person of White as having been convicted at the last summer assizes at Chester, for being at large within this kingdom before his former sentence of transportation was expired, and receiving a second sentence of transportation for life. White admitted the truth of this charge, though he denied any knowledge of the Glasgow bank robbery. He and the other man were committed for further examination.

#### METHODIST CHAPELS.

##### *Guildford sessions, July 19.*

Before lord viscount Middleton and the bench of magistrates.

##### *Farquharson v. The Parish of Christ-church.*

Mr. Barrow stated that this was an appeal of Mr. George Farquharson, a gentleman residing in Great Charlotte-street, Blackfriars-road, against a rate made for the relief of the poor of the parish of Christ-church, Surrey: and the ground of his appeal was, that the rate did *not* include the rev. Rowland Hill, in respect of the chapel commonly called Rowland Hill's chapel. The question he said was by no means a new one. Even before the late case of *the King v. Agar*, it had been determined that places of divine worship, by which a profit was made, were rateable to the support of the poor. The appeal was not brought forward to give the parish officers any unnecessary

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cessary trouble, or to disturb the rate already made. The only object of the appellant was to have the principle of the rateability of this species of property, and its application to the chapel in question, distinctly recognised; for, without this, he was perfectly assured, the influence of Mr. Rowland Hill would prevent the parish officers from doing what in point of fact they had pledged themselves to do two years ago. This was the single question to be tried: he should therefore proceed to prove his case.

Richard Hoppey stated that he was steward of the Surrey chapel, in which divine service was performed every Sunday, Tuesday, and Friday.—He said Mr. Hill principally officiated when he was in town; he had seen him numbers of times in the vestry.—The chapel-house, communicating with the chapel, was occupied by Mr. Hill.—The witness said, that part of his occupation was to receive money at the door regularly; he received for many seats a guinea. There were about 500 tickets distributed annually, each admitting two persons; the seats in the galleries were 1s. 6d. per quarter, with the exception of the front seats, which were 3s.—Last quarter there were distributed from 800 to 900 tickets at 1s. 6d. and somewhat more than 140 at 3s. Strangers of decent appearance who came to the chapel were accommodated with seats without paying; but if they repeated their visits they were expected to subscribe. The income of the chapel which passed through his hands, was about 800*l.* a year; of which, 200*l.* a year was appropriated to the ordinary expenses of the chapel; the residue he paid over to Mr.

Webber, the treasurer. He said the chapel was managed by twelve trustees, of whom Mr. Hill was one; Mr. Webber, of Clapham, was a trustee; as was Mr. Neale, of St. Paul's Church-yard.—The witness had acted with them as trustees, and always attended to receive their directions, but he had never witnessed or seen any trust deed.

Mr. Spankie for the appellant commenced by observing, that no provocation or taunts from the other side should induce him to deviate from the course he had prescribed to himself. Nothing was further from his intention, than to say any thing offensive or disrespectful of the reverend gentleman whose chapel was the subject of discussion. He believed that no man had ever performed the functions of his ministry with greater success than the reverend gentleman. The question was not whether this chapel should not be conducted on the laudable principle of preaching the Gospel to the poor at the expense of the rich; on the contrary, if Mr. Hill was enabled by his eloquence to attract a numerous and wealthy congregation, he gave him credit for his exertion. What he maintained was, that whatever profits were made by means of this chapel, and in whatever way those profits were ultimately employed, they ought, in their transit, to be appropriated to the relief of the parochial poor, the same as profits derived from any other source. What he had to contend was, not whether the chapel was vested in trustees, but whether its profits were rateable to the poor. This was a great institution, of a spiritual nature, but producing great profits from physical causes: and in the opinion of many,

many, those profits might be devoted to very laudable purposes. That the chapel was much frequented, was matter of such public notoriety that it could not be disputed. The munificent donations of Mr. Hill, to what he might conceive charitable purposes, formed no part of the present question; the only question was, whether the property which furnished the means of his charity was rateable to the poor? Those whose cause he was advocating viewed with alarm and apprehension the splendid and benevolent donations of Mr. Hill, justly considering them as the most powerful instruments employed in the *propaganda* system of methodism. Mr. Hill prided himself on being the head of that sect. It was his boast, that his influence over the minds of his followers enabled him to perform acts of ostentatious charity;—but that was a gratification he should not be allowed to indulge in, without first contributing to the relief of the parochial poor. His chapel occupied a space which many houses liable to the rates would occupy. There was no man who was a greater friend to religious toleration than himself; but surely there was no rigour or hardship in the shape of intolerance, in subjecting the property of sectarists to the ordinary rates which were imposed on others. What claim had people of this description to be exempted? None whatever; for he was persuaded, and many persons, and wise ones too, were of opinion that the present prevailing and increasing system of methodism existed for the ultimate and final destruction of the established church of England. If a system of religion, tolerated by the mild laws of the country, was suffered

to be extended by the most powerful incentives which could operate on the human mind; if its ministers were to set up methodist meeting-houses to rival the church of England; if the extraordinary and persevering zeal of those ministers was to be directed in obtaining proselytes by every art they could devise; if by attractive and seducing meeting-houses the people of this country were to be drawn by degrees from the established faith and mode of worship, it was impossible to say where the evil would end; it must inevitably terminate in the utter annihilation of the established church. He had once heard Mr. Hill preach, and he believed Mr. Hill thought his preaching did not operate to the prejudice of the church of England; but let the fact speak for itself:—Was it not manifest, that wherever these methodist meeting-houses existed, the worship of the established church of England was not held in the repute it ought to be?—Men could not follow the doctrines of these methodist ministers, and at the same time love or respect the regular ministers of the established church, whom the constitution of their country had appointed to instruct them. However laudable the motives of Mr. Hill's charitable donations might be in his own estimation, they were exercised at the expense of the poor of the church of England. Let not the methodists be molested in their worship, but let them not at the expense of the poor augment their funds, for the purpose of employing them to sap the foundation of the established church. Let them support the poor of their own persuasion by the magnificent institutions of voluntary piety, but compel them to remember that



their charity should begin at home, and that they should be just before they were generous. Let not the full and splendid river of methodistical benevolence overflow the country, by draining the little rivulets that should nourish and support the established church; let them bear their fair proportion of the public burthens with their neighbours, for in proportion as they paid less, their neighbours paid more. Property of every description was rateable; even waters, which were of such general utility, were rated at their fountain-head—Then why should not the fountain-head of the waters of methodism be equally rated, if the property flowing from it existed in a tangible state? For these reasons, he submitted that the chapel in question ought to be included in the rate.

Mr. Lawes and Mr. Nolan, for the parish, admitted, upon the evidence which had been produced, the liability of the chapel to be rated, but they contended that the evidence negatived the proposition that Mr. Hill was the proprietor.

Mr. Cowley and Mr. Shepherd, counsel for Mr. Hill, argued to the same effect.

Lord Middleton stated that the court were of opinion the property was not sufficiently vested in Mr. Hill to entitle the parish to make their rate on him. The present appeal was therefore dismissed.

The trial lasted three hours, and the court was extremely crowded.

*Admiralty-Office, July 16.*

The following letter of capt. A. B. Bingham, of his majesty's sloop *Little Belt*, giving an account of the attack made upon that sloop, with the particulars of the action that ensued with the American frigate the *President*, has been trans-

mitted by rear-adm. Sawyer, commander in chief of his majesty's ships on the coasts of North America.

*His Majesty's sloop Little Belt, May 21.*

Sir,—I beg leave to acquaint you, that in pursuance of your orders to join his majesty's ship *Guerriere*, and being on my return from the northward, not having fallen in with her, at about 11 A. M. May 16, saw a strange sail, to which I immediately gave chase; at one P. M. discovered her to be a man of war, apparently a frigate, standing to the eastward, who, when he made us out, edged away for us, and set his royals; made the signal 275; and finding it not answered, concluded she was an American frigate, as he had a commodore's blue pendant flying at the main; hoisted the colours, and made all sail south; the course I intended steering round Cape Hatteras, the stranger edging away, but not making any more sail. At half-past three he made sail in chase, when I made the private signal, which was not answered. At half-past six, finding he gained so considerably on us as not to be able to elude him during the night, being within gun-shot, and clearly discerning the stars in his broad pendant, I imagined the more prudent method was to bring-to, and hoist the colours, that no mistake might arise, and that he might see what we were: the ship was therefore brought-to, colours hoisted, guns double shotted, and every preparation made in case of a surprise. By his manner of steering down, he evidently wished to lay his ship in a position for raking, which I frustrated by wearing three times. About a quarter past eight he came within hail. I hailed, and asked what ship it was? He repeated

ed my question. I again hailed, and asked what ship it was? He again repeated my words, and fired a broadside, which I immediately returned. The action then became general, and continued so for three quarters of an hour, when he ceased firing, and appeared to be on fire about the main hatchway. He then filled. I was obliged to desist from firing, as the ship falling off, no gun would bear, and had no after-sail to keep her to. All the rigging and sails cut to pieces, not a brace or bowline left: he hailed, and asked what ship this was; I told him: he then asked me if I had struck my colours? My answer was, No; and asked what ship it was? As plainly as I could understand (he having shot some distance at this time), he answered, 'The United States frigate. He fired no more guns, but stood from us, giving no reason for his most extraordinary conduct. At day-light in the morning saw a ship to windward, which having made out well what we were, bore up and passed within hail, fully prepared for action.— About eight o'clock he hailed, and said, if I pleased, he would send a boat on board; I replied in the affirmative; and a boat accordingly came with an officer, and a message from commodore Rodgers of the President United States frigate, to say that he lamented much the unfortunate affair (as he termed it) that had happened, and that had he known our force was so inferior, he should not have fired at me. I asked his motive for having fired at all; his reply was, that we fired the first gun at him, which was positively not the case. I cautioned both the officers and men to be particularly careful, and not suffer more than one man to be at the gun. Nor is it probable that a

sloop of war within pistol-shot of a large forty-four gun frigate should commence hostilities. He offered me every assistance I stood in need of, and submitted to me that I had better put into one of the ports of the United States; which I immediately declined. By the manner in which he apologized, it appeared to me evident, that had he fallen in with a British frigate, he would certainly have brought her to action; and what further confirms me in that opinion is, that his guns were not only loaded with round and grape shot, but with every scrap of iron that could possibly be collected.

I have to lament the loss of thirty-two men killed and wounded, among whom is the master. His majesty's sloop is much damaged in her masts, sails, rigging, and hull; and as there are many shot through between wind and water, and many shots still remaining in her side, and upper works all shot away, starboard pump also, I have judged it proper to proceed to Halifax, which will, I hope, meet with your approbation. I cannot speak in too high terms of the officers and men I have the honour to command, for their steady and active conduct throughout the whole of this business, who had much to do, as a gale of wind came on the second night after the action. My first lieutenant, Mr. John Moberly, who is in every respect a most excellent officer, afforded me very great assistance in stopping the leaks himself in the gale, securing the masts, and doing every thing in his power. It would be injustice, were I not also to speak most highly of lieutenant Lovell, second lieutenant, of Mr. M'Queen, master, who, as I have before stated, was wounded in the

right arm in nearly the middle of the action, and Mr. Wilson, master's mate. ' Indeed the conduct of every officer and man was so good, it is impossible for me to discriminate.

I beg leave to inclose a list of the thirty-two men killed and wounded, most of them mortally, I fear.

I hope, sir, in this affair I shall appear to have done my duty, and conducted myself as I ought to have done against so superior a force, and that the honour of the British colours was well supported.

I have the honour to be, &c.

(Signed) A. C. BINGHAM, Capt.  
The admiral's instructions to capt. Bingham.

You are hereby required and directed to put to sea in his majesty's sloop under your command, and proceed without loss of time off Charlestown, where you may expect to meet captain Pechell, in the *Guerriere*, to whom you will deliver the packet you will herewith receive, and follow his orders for your further proceedings. Should you not meet the *Guerriere* off Charlestown, you will stand for the northward, and use your utmost endeavours to join him off the Capes of Virginia, or off New York, and in the event of not meeting the *Guerriere*, you will cruise as long as your provisions and water will last, and then repair to Halifax for further orders. You are to pay due regard to protecting the trade of his majesty's subjects, and the capture or destruction of the ships of the enemy. You are to be particularly careful not to give any just cause of offence to the government or subjects of the United States of America; and to give very particular orders to this effect to the officers you may have

occasion to send on board ships under the American flag. You are not to anchor in any of the American ports, but in case of absolute necessity, and then put to sea again as soon as possible. Given under my hand at Bermuda, this 19th April, 1811,

HERBERT SAWYER.

Arthur Batt Bingham, Esq. commander of his majesty's sloop *Little Belt*.

By command of the rear-admiral,  
H. N. SOMERVILLE.

#### ROYAL MAUSOLEUM AT WINDSOR.

18. Previous to the death of the princess Amelia, it had been the wish of his majesty to have a burial-place for the royal family; and after consulting with J. Wyatt, esq. the king's surveyor-general, and several other architects on the subject, cardinal Wolsey's tomb-house was fixed upon for a vault. Since November 1810, workmen have been busily employed in this building, and it is now in such a state of forwardness, that the public may be enabled to form a just estimation of the grandeur and extent of this royal sepulchre. It is built after the manner of the Egyptian vaults, being 100 feet in length, 30 feet in width, and 14 feet in depth. In a recess at the end of this vault are intended to be deposited the remains of their present majesties; and along the passage arranged depositories for the future kings of England. On each side are erected four tiers, divided into eight compartments, making in the whole seventy-two depositories for the royal family and the children of the blood royal. It will communicate with the choir of St. George's chapel, and is to be built of Bath free-stone, after the Gothic order of architecture. Over this

this spacious tomb will be erected a chapter-house for the knights of the garter arched over with a ceiling of very fine wood-work. As soon as it is sufficiently completed, the body of the princess Amelia will be removed into this royal sepulchre. We cannot do adequate justice to this magnificent structure, without acquainting our readers with the antiquity of the place. This fine stone edifice is situated at the east end of St. George's chapel, and was built by Henry VII. as a burial-place for himself and successors; but this prince afterwards altering his purpose, began the more noble structure at Westminster, and this fabric remained neglected until cardinal Wolsey obtained a grant of it from king Henry VIII.—Wolsey, with a profusion of expense unknown to former ages, designed and began here a most sumptuous monument for himself, from whence the building obtained the name of Wolsey's Tomb-house. At the time of the cardinal's disgrace, the tomb was so far executed, that Benedetto, a statuary of Florence, received 4,250 ducats for what he had already done, and 380*l.* sterling was paid for gilding only half of this sumptuous monument. The cardinal dying soon after his retirement from court, was privately buried at Leicester, and the monument remained unfinished. In 1646, it became the plunder of the parliament party, and the statues and figures of exquisite workmanship, made for the ornament of the tomb, were sold to carry on the war. King James the Second converted this building into a popish chapel, and mass was publicly performed here. The ceiling was executed by Verrio, who is considered to have here excelled his other per-

formances. The walls were finely ornamented and painted; but it soon became neglected, and with the downfall of popery, so was it laid in ruins, until the year 1800, when his majesty ordered the windows and external parts to be repaired. It is now converted into a royal sepulchre. The workmen while employed in removing the earth discovered two coffins in a stone recess, about three feet below the surface, one containing the remains of Elizabeth Wydville, queen of Edward the IVth; the other, those of George, the third son of the said king and queen.

#### EXECUTION.

22. Richard Armitage and Charles Thomas, both clerks in the bank of England, and both guilty of a similar species of crime, though unconnected with each other, were on Wednesday morning executed pursuant to their sentences. The former had been convicted of uttering a forged dividend warrant, and the latter of forging a receipt for money, with intent to defraud the bank of England. The youthful appearance and genteel deportment of these unhappy culprits made a strong impression on the crowd assembled, which was immense. It will be recollected that Armitage was convicted principally on the evidence of Roberts, who after his apprehension subsequently to the escape from Cold Bath Fields, gave information of the whole transaction, to which he declared on the trial he was moved by an "innate love of justice," and a "desire to make as much *reparation* as possible!" Thomas was a clerk in the imperial annuity office. It appears that the first acquaintance betwixt one of these men and Roberts, originated at a gaming-house,

house. Roberts never offered to make any disclosure of his nefarious transactions with the two unfortunate men, until he was a second time in custody, subsequent to his escape from Cold Bath Fields. His disclosure then was unsolicited, and he had never held out to him a promise of pardon when giving evidence at the Old Bailey. It was Roberts's disclosure which led to the untimely end of the other sufferer, who had been but a very short time in the bank. Armitage has left two children to deplore his untimely end.

#### MOCK PARSON.

29. On Monday morning application was made at Bowstreet office by a clergyman belonging to a man of war, for a warrant against a person calling himself the rev. John Shepherd, for defrauding him of 30*l.* under the following circumstances:—A short time since, the applicant had leave of absence from his ship, on account of ill health, and came to London for advice, and was living at the Northumberland coffee-house, Charing-cross, where the person complained against came, calling himself the rev. John Shepherd. He told the landlord he was just come from the country, and wanted a bed, and his trunk would be brought there directly: he was accordingly shown into a bed-room. In a short time after a trunk was brought. The man who brought it, the landlord knew to be a trunk-maker; and on inquiry, learnt that there were no clothes in it, but that it was a new trunk he had just purchased. This caused a suspicion that he was a swindler, and the trunk-maker insisted on being paid; upon which Shepherd, with much confidence and address, went up to the appli-

cant, who was sitting in the coffee-room, stating himself to be a clergyman just arrived from the country, and was unfortunately without cash, and obtained a one-pound bank-note from him. On the following morning, the landlord still suspecting Shepherd, went to him, and presented him his bill, apologizing by saying it was his custom to have his bill paid daily by strangers. Shepherd appeared perfectly satisfied with his conduct, and said he was just going to call for it, and in a short time paid the amount. This, however, proved to be with the applicant's money, as he obtained 5*l.* more under false pretences, he not being able to refuse a brother of the cloth. Shepherd contrived to get so intimate with the applicant, that he took him to Portsmouth with him, and introduced him as a clergyman among his connexions there, who are extremely respectable. Shepherd at length contrived to get 30*l.* of his money, and left him. The applicant met him on Monday morning in London, and asked him for his money: he confessed he could not pay him, nor had he any prospect of doing so; he acknowledged he had done wrong, and said he intended to enlist for a soldier, and he should have the bounty money.

The applicant having discovered that he was an impostor, applied to Mr. Read, at the above office; but not being able to make out a case of more than a debt, the magistrate was not able to grant a warrant, or afford him any relief. However, in the afternoon of the same day, information was given at the office by a gentleman against an impostor, a pretended clergyman, whom he had got acquainted with at a coffee-house, styling himself the

the rev. Mr. John Tucker, a rector of Exeter, and lately of Baliol and Magdalen colleges, Oxford. He always appeared during their acquaintance a character well worthy a clergyman: he had seen some of these sermons he said he had written; and when he had called upon him, he appeared very busily employed writing other sermons, and he had gone to church to hear him preach. He had obtained several sums of money from him; he had just ascertained that he was not a clergyman, and was a most gross impostor. From the description of his person, there was no doubt entertained but this was the same man against whom information was given by the clergyman of the man of war in the morning;—and on account of his going by the names of Shepherd and Tucker, and this gentleman's case being much stronger, a warrant was issued against him. Rivett, by inquiries, and through the assistance of col. Robinson of Pimlico, ascertained that he had enlisted into the 21st regiment of light dragoons, representing himself as a young gentleman of a highly respectable family, and when it was known that he was enlisted he should be bought off. In consequence of this representation of himself, swearing him in was delayed, and he had been living at the expense of the serjeant to the amount of upwards of 1*l*.

On Tuesday he was taken into custody by Rivett, and in the evening of that day underwent an examination before Mr. Nares. Previous to the commencement of the examination, the magistrate inquired for the prisoner, and, to his great surprise, found he was sitting close to him. He inquired if he was a clergyman? He acknowledged he was not. The prisoner,

with much presumption, continued to keep his seat, till Mr. Nares ordered him to stand; when, on interrogatories being put to him, he frankly acknowledged that he had preached, married a number of couples, and executed the offices in several churches as a clergyman.

Mr. Nares expressed his horror at the wickedness and mischief his conduct would occasion, as all the parties must be married over again.—The above charges were then gone into, and he was committed for further examination.

On Thursday the prisoner was again brought up for re-examination; when Mr. W. Webb, robe-maker, of Holywell-street, attended, and charged the prisoner with obtaining several clergyman's gowns on hire and purchase, under false pretences, and having not paid for them. Mr. Webb stated, that on the 22d day of June last the prisoner hired a clergyman's gown, which he took with him, and at the same time ordered a sack pudding sleeve gown, which was to come to eight guineas, (and directed it to be sent to his residence in Green-street Grosvenor-square, saying he was curate of Park-street chapel,) and was taken on the following Wednesday: he then wrote his name "The rev. W. Tucker." Since, Mr. W. has ascertained, by comparing the hand-writing in his direction, that he is the same man who obtained a gown to preach in on the 9th of April, 1810, saying he was recommended to him by the rev. Mr. Hutchins, of St. Dunstan's in the East, when he wrote his name "J. C. Tucker."

On Mr. Webb producing his books at the examination, on looking over them, a memorandum was observed which caused some merriment,

rimment, viz. a judge's gown hired for 5s. which, till explained, appeared improbable: and it turned out that a young barrister had hired a judge's gown to go to the masquerade in.

Mr. Webb believing that the prisoner had obtained the gowns under false pretences, he was committed for further examination on this charge.

It now appears that this fellow has assumed the names of the rev. John Tuck, the rev. John C. Tucker, and the rev. John Shepherd. Instead of his father being recorder of the city of Exeter, as he represented him to be, he turns out to be an honest hard-working man, who resides in a village near Exeter, and gets his living by taking vegetables to that city for sale. The profession of the mock parson, till within the last three years, was a teacher of writing and arithmetic at schools. The last situation he is supposed to have filled, was at Mr. Hogg's school, near Paddington. It appears he has never been at Baliol or Magdalen colleges, but has imposed upon great numbers under that pretence: and the way he was enabled to do that without being detected so long was, that he contrived to get himself acquainted with a number of students from those colleges, and by that means gained a thorough knowledge of those establishments and the gentlemen belonging to them, which enabled him to impose upon numbers, without any suspicion; he represented himself as having just come from college, and was waiting for church preferment, and from his connexion with great men he expected soon to be put in possession of a valuable living; and, in corroboration, produced letters, with promises to procure him a living,

pretending to be written by several public characters.

When he was in the company of those he was fearful would know any of the distinguished characters' hand-writing, he only produced copies, saying he did not carry the originals about him, being fearful of losing them.

On Friday, Tucker, alias Tuck, alias Shepherd, and several other aliases, who has imposed upon a number of persons under a false pretence of being a clergyman, was brought to the office, from Tothill-fields Bridewell, for further examination, before Mr. Nares. Although it was not publicly known that he was to be re-examined this day, yet the office was crowded to such an excess that the heat was scarcely bearable. Most of the persons present had charges against the prisoner, but were so much ashamed of their credulity, in being imposed upon by him on such groundless pretences, that they declined standing forward to prefer their charges. The following were, however, made:

John Channon, who stated himself to be a clerk residing in Red-cross-square, Barbican, said, that about five or six weeks since, he was walking along the Strand, when he was accosted by the prisoner with a familiar "How do you do?" He replied to him that he had the advantage of him. The prisoner answered his name was Tucker, his father was recorder of Exeter; he knew him, his mother, and his sisters, extremely well, in Devonshire; he had lately seen them, when they were in good health; he also decried several persons, intimate neighbours of Mr. Channon's;—that he had no doubt of the correctness of his statement, which induced him to ask him to go home with

with him, which he agreed to, and they drank tea there. While the prisoner was at his lodging, he stated himself to be rector of Frome in Somersetshire, which was worth 700*l.* a year to him. In conversation, the prisoner told him he wanted to find out the rev. Mr. Lens, who, he understood, was in the habit of recommending curates, as he was in great want of one to supply his church at Frome during his absence. Mr. Channon said he lived opposite the Artillery Ground, and agreed to accompany him in search of him, and found Mr. Lens living in Bunhill-row. He waited in the street while the prisoner went into Mr. Lens's house. The prisoner came out again in a short time, said he had seen Mr. Lens, who had agreed to procure him a curate, and was to send him to Frome, and had given him a draft on Messrs. Biddulph and Co. the bankers, at Charing-cross, for five guineas for his trouble. They then returned to his lodgings in Red-cross-square, when he told him he should preach in the morning of the Sunday following at St. Margaret's chapel, Westminster, and desired him to go and bear him, which he promised to do; and calling early on Sunday morning at the prisoner's lodgings, at No. 8, Fetter-lane, accompanied the prisoner, in a gown and full canonicals, and walked in full dress to the Broadway chapel, Westminster, where they went into the vestry, and the prisoner introduced him to the celebrated Dr. Hawker, who was to have preached a charity sermon there: the prisoner read the prayers. On their way from the chapel, the prisoner told him Dr. Hawker was particularly intimate with his father; he always stopped at his house in Exeter, when he was

travelling to and from Plymouth to London. They walked back to his lodgings, and agreed to meet again the next day. The next day he called again upon the prisoner, when he entertained him with some wine. He proposed to the prisoner to go to see Covent-garden theatre, as he was just come from the country: the prisoner replied he would be very happy to accompany him, but at present he was very short of money, and did not expect his father in town till the Sunday following, when he should get a plentiful supply. He answered, that made no difference, as he should be happy to accommodate him with cash, and accordingly did. They went to Covent-garden theatre together that evening.—On the Wednesday following he called at the prisoner's lodging again, when he found a horse and chaise at the door. The prisoner told him they were his, and asked him to take a ride with him, which he agreed to, and they went to Hammersmith, where he had some refreshment, which he paid for. They returned to town, the prisoner telling him he had ordered a dinner at a tavern in Fetter-lane, having a gentleman to dine with him, and invited him to join them; which he agreed to. They dined together, but no gentleman came. After dinner the prisoner ordered two horses to the door, which he said were his. They both rode to Paddington, and called on a Mr. Hogg: the prisoner invited Mr. H. to a tavern at Paddington, to take some wine, where the prisoner told him he had no money, and borrowed 2*l.* of him. On their way home they stopped at the King's Arms, in Oxford-street, when it being very late, they staid there all night, and breakfasted there in the morning



morning, and then returned the horses to Nelson's livery stables in Fetter-lane. In a day or two after, the prisoner called again to borrow some money, saying it was to pay for some shirts when at Oxford. He could not make it convenient, but went and borrowed the sum for him. He not seeing the prisoner for some time after, he found him out in Green-street, Grosvenor-square; when, on his pressing him for payment of the money, he, with much assurance, confessed he was not rector of Frome; that his father was not recorder of Exeter, but a little farmer in a village called Rew, near Exeter. He acknowledged that the whole of his statement to him was false. He had been a writer at the banking-house of Flood and Co. at Honiton, Devonshire, and by that means he knew his family and friends by sight only.

### AUGUST.

1. A few days since, a labouring man, engaged in ploughing a field at Bignor, near Petworth, found the plough obstructed by a heavy stone, when he obtained assistance and removed it; it is of marble, and beneath is a flight of steps of the same, leading to a large arched passage, where they discovered an entire Roman bath, with tessellated pavement in perfect preservation. The bath is of a hexagonal form, surrounded with seats, in the centre is a metallic pipe; the bottom of the bath is about two feet below the pavement, and five feet wide; the tessellated floor represents various figures in dancing attitudes, most beautifully wrought. In digging further, they found a dolphin, and various other antiquities of the most costly materials. It is supposed to be the remains of a Roman palace.

A Roman road has also been discovered, leading through the field, and supposed to extend much further.

### LUCIEN BONAPARTE.

2. Lucien Bonaparte is settled in his new residence near Worcester. The establishment is about 50 of family. All the young Bonapartes have two servants in constant attendance on their person, besides a cook and tutor. About a fortnight ago, the whole family were employed in making hay before the house. They used nothing but their hands in throwing it about; and laughed at such English people of the neighbourhood who had different customs. Lucien appears to be always wrapped in thought and gloom; he moves gracefully to such persons as salute him, but never speaks. The latter may be owing to his being almost ignorant of the English tongue. Madame is agreeable and chatty, and very particular in making the young part of the family observe the strictest politeness to strangers. The furniture of the house is an odd mixture of splendour and meanness; as is the dress of the family in general. The youngest child has so much gilt and glitter in its dress, that in the sunshine it resembles an orb of moving fire. Lucien gets the *Moniteurs* forwarded to him; and such French newspapers as are published in England. The inspector of his letters, &c. goes daily to Thorngrove, as the mail comes in. There is very little land attached to the house; and so far from Lucien being an agriculturist, he does not appear to have any ideas on the subject. He reads poetry in the fields; and generally walks at some distance from his family. The good shopkeepers of

Wor-

Worcester have been very assiduous in applying for the custom of the family. Lucien has a range of parole four miles from his house, which includes Worcester.

#### SMALL-POX.

4. A marked instance of the re-appearance of the small-pox twice in the same person, has just occurred in the case of the rev. Mr. Rowley, son of lady Rowley.—About 40 years ago, Mr. Rowley, then a child, was inoculated for the small-pox, by Mr. Adair, surgeon-general, and had considerable eruption; but on the 5th of June last he was seized with a fever, and an eruption appeared on the third day; there were two hundred pustules on the face, and the distemper proved a severe case of distinct small-pox.—Another instance of repeated small-pox after inoculation lately happened to miss S. Booth, of Covent-Garden Theatre. At five years of age this young lady was inoculated for the small-pox. The progress of the arm was regular, she had considerable fever, and the whole of the appearances were of a nature to afford, it was believed, a perfect security from any future attack of the disease. On June 20 she was seized with febrile symptoms, which proved the precursor of small-pox. On Sunday, the third day from the attack, pustules appeared on the forehead and scalp. The eruptions spread to other parts of the frame, accompanied with sore throat. This eruption passed through the usual forms and stages of the disease, and constituted an undoubted case of renewed *variola*.

#### YORK ASSIZES.

7. These assizes commenced before Mr. baron Wood and Mr. justice Chambre.

After the grand jury was sworn

in, Mr. baron Wood addressed them in the following terms:—

“Gentlemen of the grand jury,

“The calendar, considering the populousness of this county, does not present any large number of aggravated cases; nor does it appear to me to contain any which will render it at all necessary to occupy your time with any observations upon them. But there are two cases not in the calendar, which I feel it my duty to recommend to your serious consideration. The first I have only recently become acquainted with by reading an article in the Doncaster paper, which purports to be an account of the proceedings at Beverley sessions, and which I will read to you.—His lordship here read from a newspaper the paragraph. [This was the statement of the trial, at the above sessions, of Robert Wright and his wife, of Lockington, for various instances of unnatural treatment and barbarity towards Elizabeth Wright, a child of about nine years of age, the daughter of the said Wright by a former marriage. Stephen Camp deposed that the house he lived in is very slightly divided from Wright's, and that he had heard the child beat by the mother-in-law, four or five times in a day, severely, and once heard the blows inflicted thirty-eight yards from the place. Elizabeth Robson, a neighbour, deposed to the same effect, particularly on the Thursday previous to the death of the child. Elizabeth Roper deposed to hearing the child beat most unmercifully up stairs, for having asked its father for a bit of cake; and heard the mother-in-law threaten to knock her on the head, if she ever repeated it. The girl when brought home to the father's house a few weeks ago, was a very fine healthy child,

child, but was a most pitiable object before her death; she was kept up stairs, and for five weeks was not seen by the neighbours: the above witness was herself threatened by the mother, for her interference. Mr. Robert Robinson attended the coroner's inquest, and deposed that the body was bruised grossly in all parts of it; had two large wounds beneath the soles of the feet, a cut in the knee, and marks of cruel treatment to the most shocking degree. Mr. Denison, the chairman, having summed up the statement to the jury, they brought in a verdict of *GUILTY* against Ann Wright the mother-in-law, and she was sentenced to a year's imprisonment, the last fortnight of which in a solitary cell.]

"Gentlemen, if the statement contained in what I have just read to you be true, this was a case of murder, and the prisoner ought to have been indicted here for it; for though the law allows parents and masters to inflict moderate correction on their children and servants, it does not countenance cruelty and oppression; and I have brought the case before you, that you may inquire into the circumstances of it; and if you shall find them as they are stated, it will be your duty to return a bill of *Wilful Murder* against the offending party; for no trial and conviction at a quarter sessions for an inferior offence can abate or do away a charge of murder. Indeed, if this was the case, the most enormous crimes might escape an adequate punishment. The law does not give to a prosecutor the option whether a party shall be prosecuted for an assault or for murder, and of sheltering a criminal from the latter by only indicting him for the former. If on due inquiry and investigation into the circumstances

of this case, it shall appear to you that the death of this child was occasioned by cruel and general ill-treatment of its parents, or either of them, you must make such presentment to the court. If the evidence should not satisfy you that this was the case, the matter must rest where it is, and the party must suffer the punishment adjudged by the quarter sessions.

"The other circumstance to which I wish to call your attention is the case of a chimney-sweeper at Wakefield, where death was occasioned by his being severely burnt, in consequence of a fire having been made in a chimney communicating with that he was employed to sweep: and the reason I mention this case for your consideration is, because the coroner's jury who investigated it have not drawn any inference or conclusion from the facts laid before them. They have not stated whether the fire was made maliciously, with intent to injure or destroy the child, which would be murder; or negligently, without paying due attention to the safety of the boy, which would be manslaughter; or by mere accident, which last I hope will prove to be the case: and if the coroner's jury had stated this to be their opinion, I should not have troubled you with the mention of this case."

His lordship read the verdict of the coroner's jury, and said, he made these observations not with a view of prejudicing their minds against any offender, or supposed offender, but merely for the purpose of drawing the attention of the grand jury to circumstances which seemed to require investigation.

The grand jury found a true bill for *willful murder* against Ann Wright. But she was acquitted.

WAR.

W. A. R.  
Tabular View of the Wars in which this Country has been engaged since the Revolution.

No of Wars.	With whom.	In what reign.	When begun.	When ended.	By whom ended, and where.
1	France	William III.	May 7, 1689	Feb. 10. 1697	Earl of Pembroke, at Ryswick.
2	France and Spain	Anne.	May 4, 1701	March 13. 1713	Earl of Stafford, at Utrecht.
3	Spain	George I.	Dec. 16, 1718	June 13. 1721	Duke of Somerset, at Madrid.
4	Spain	George II.	Oct. 19, 1739	Oct. 18. 1748	Earl of Sandwich, at Aix-la-Chapelle.
5	France	George II. & III.	May 18, 1756	Feb. 10. 1763	Duke of Bedford, at Fontenibcau.
6	America, &c.	George III.	April 19, 1775	Sept. 3. 1783	Mr. Grenville, at Paris.
7	France	George III.	Feb. 11, 1793	March 27. 1802	Marquis Cornwallis, at Amiens.
8	France, &c.	George III.	March 9, 1803	.....	.....

No. of Wars.	Duration of each War.	Duration of each Peace.	Debt beginning of each War.	Debt contracted in each War.	Total Debt at end of each War.	Debt paid off during each Peace.	Average annual Revenue.
1	Y. M. D. 7 9 3	Y. M. D. 4 2 22	£. 664,262	£ 20,035,737	£. 20,700,000	£. 4,230,000	£. 6,000,000
2	11 10 9	5 9 3	16,500,000	35,500,000	52,000,000	2,000,000	3,700,000
3	2 5 28	18 4 6	50,000,000	6,000,000	56,000,000	6,000,000	4,000,000
4	8 11 30	7 7 0	50,000,000	28,000,000	78,000,000	4,000,000	6,000,000
5	6 8 21	12 2 9	74,000,000	73,000,000	147,000,000	11,600,000	7,000,000
6	8 4 15	9 5 8	136,000,000	110,000,000	246,000,000		11,000,000
7	9 1 16	0 11 11	*272,000,000	347,000,000	619,000,000	Paid off by the Sinking Fund since 1783, 200,000,000.	25,000,000
8	.....	.....	619,000,000	.....	.....		

\* In this peace of nine years the debt increased 26,000,000.

## ADMONITION OF A JUDGE.

A curious and very important fact occurred at Cardiff. A gentleman of opulence, a magistrate, and of no questioned repute, addressed a letter to one of the judges, in which his object was, not only to accuse a culprit (committed for manslaughter upon a coroner's inquest) of a deliberate and savage murder, but also, upon the evidence of assertion alone, to inflame the judicial mind of his correspondent against that prisoner, by persuading the judge before-hand, that unless the accused should be cut off by the law, not a life near him, or within his reach, could be safe. He represented this man as a conspirator in a desperate clan of miscreants, who were men of sanguinary habits and passions. He told the judge, that all the witnesses who were to be heard were all partial to the accused, and would suppress the facts they knew, unless his lordship would *make* them speak out; and he desired him *to keep the secret of these hints*, for which he gave this reason, "that every thing valuable to *him* was at stake in withholding from this *clan* a knowledge of the part *he* took against them." When the judge had read the letter, which he received in court, the bar and grand jury attending, he told them a letter had been just put into his hand, and he named the writer of it; he added, that circumstances of peculiar delicacy respecting the subject of that letter imposed upon his feelings the painful necessity of deferring to publish the contents till the gaol had been delivered; but that he should then direct the principal officer to read it aloud, and should pass a marked and public censure upon it; after delivering which, he should command the deposit of the letter upon the files of the court, for

safe custody, accompanied by a note of its doom, that if the writer chose to appear, he would be in time, and would be heard. When the man accused of the manslaughter had been tried, and had received the sentence of imprisonment for three months, he was remanded. The writer of the letter did not appear, and the judge delivered himself as follows to a numerous audience. We give the substance, without professing to give the words:—

"You have heard this letter, and your looks were eloquent—they reprobed this tampering and cruel artifice.

"A magistrate of the county, at whose mercy, in some degree, are the lives and liberties of men, writes to me for the single purpose of insinuating and *whispering away a man's life*, by undue influence upon the judgement or the feelings of his correspondent.

"His object is to invert the habit and principle of a judicial trust, which is that of being counsel for prisoners, into the new and sanguinary department of a suborned advocate against them. His letter prompts me to goad the witnesses into evidence more hostile to the culprit than it was their intention to give—advice to me, insinuated behind the back of the accused, and just before his trial, upon evidence of assertion alone, unduly and surreptitiously communicated!

"But what heightens the depravity of this insult upon the courts, and this cruelty of it, as it has taken aim at the parties who are implicated, is the *confidence* proposed and claimed.

"My God!" said the judge, "is it in 1811 that any man breathing, a subject of this realm, could think a judge base enough to be an accomplice in this fraud upon the sacred

sacred honour of his covenant upon oath,—of his dignified indifference to parties,—and, above all, of his presumptions, which are those of the law, that up to the moment of conviction, by authentic and sworn proof, the accused are innocent?

“What *can* be said for the writer?

“Even to *him* I would be merciful. Is it an error of judgement? Is it ignorance? But can we forget that he is a *magistrate*, and that he is a *man*? Shall a magistrate be indemnified, or dismissed with a gentle rebuke, who is ignorant of the judicial honour imposed upon him by his peculiar office? Is he a *man*, so unenlightened as to be unapprised of those feelings which tell every honourable mind that no man is to be condemned unheard, and *whispered out of the world* by a *secret* between his accuser and his judge?

“As a memorial to after ages of the disgrace inseparable from attempts like these, I direct the officer to file this letter upon the records of the court, accompanied by a note of the fact, that it was read aloud in open court, and severely censured by the judge to whom it was addressed.”

The other judge assenting, it was made a rule of court.

#### THE REGENCY BALLOON.

12. Mr. Sadler the *aéronaut* ascended in his balloon from the green at the Mermaid, Hackney.—Some time has elapsed since an exhibition of this description occurred in or near the metropolis, and public curiosity was raised to a high pitch. The Five Fields and the Hackney-road appeared thronged at an early hour with pedestrians, equestrians, and carriages. It is impossible to describe in terms adequate to the scene the innume-

rable groups of persons flocking from Greenwich, Deptford, Woolwich, and other parts contiguous to London. By twelve o'clock the road was completely blocked by carriages, and many families of distinction could not approach within a quarter of a mile of the Mermaid. The company began to assemble near the balloon, which was stationed within a fence on the lower green at the Mermaid, about ten o'clock. The apparatus had been previously fixed for supplying the gas, and workmen were employed about that hour inflating the *aërial* machine. The gas was conveyed to it through tubes in the usual way, and by twelve o'clock it was more than half full. It was covered by net-work, and confined by ropes held by thirty men. The balloon made a grand appearance. The prince's crest, motto, and cyphers, G.P.W. were conspicuous round its greatest circumference. In other respects it was the same as that in which Mr. Sadler ascended some time since at Cambridge. About two o'clock it was nearly furnished with a sufficient quantity of gas, and at about 20 minutes past two the car was brought out. The strings of the net-work were then affixed to a hoop, or cornice, from which the car hung by cords.—The latter made a most splendid appearance. It was painted sky blue, with acanthus leaves and stars of gold, lined with yellow, and in every respect fit for the occasion. At this part of the exhibition, every eye was fixed on the *aërial* adventurers. Mr. Sadler was cool, and in spirits; he superintended the filling of the balloon and the various arrangements with activity, conversed with his friends, and furnished them with every information respecting his intended

tended elevation. He said he had ascended fifteen times on aerial excursions, and of course he felt no other sensation than the idea of perfect security, and the pleasure of amusing the public. As an experienced aeronaut, he knew that the dimensions and formation of the balloon almost precluded the possibility of danger. It contained near one hundred thousand gallons of gas, and when perfectly inflated the altitude was about thirty feet. If the eyes of the spectators were directed with admiration on the veteran, who had so often explored the mid way air, and dashed through congregated clouds to air more rarified, they were no less interested in the first effort of an adventurer who had boldly resolved to sail on the winds, having previously navigated the ocean. This was lieut. Paget, related to the noble lord of that name, and an officer in the navy. We understand he had solicited a place in the car with Mr. Sadler, and for 100 guineas he was accommodated. Mr. Sadler appeared in mourning, with a hat-band. Lieut. Paget wore a blue coat, and on the whole was gaily clad. After the car had been fastened to the balloon, two flags had been brought out, on which were embroidered the arms of England. In this state of preparation Mr. Sadler was called by several friends, who shook hands with him, and wished him a pleasant voyage. A gentleman then gave him several letters to cast out of the car during his ascent. He was also furnished with an excellent weather-glass, charts of the different counties, &c. blankets, two bottles of water, spirits, two grapnels with cords affixed to them, ballast, and other articles too minute to mention. The luggage

being properly stowed in the car, part of the fence which surrounded the scene of operations was broken down, and Mr. Sadler's son, with assistants, removed the balloon some yards to the northward of its former position, in order to clear the trees. During this movement, the spectators and assistants hung on the car, and prevented it from rising. The motion of the balloon at this period was grand, and a shout from an immense multitude hailed the appearance. Curiosity at the instant was doubly excited, and hundreds pressed towards the object of their admiration. The grenadiers of the Tower Hamlets militia, and the guard appointed for the occasion, did all they could to restrain the pressure, and to keep the balloon clear for the aeronauts; —that interval was chosen by Mr. Sadler and his companion to enter the car. Mr. Sadler entered first; lieut. Paget followed; and having again shaken hands, and returned the good wishes of their friends, all was ready, and the balloon mounted from the grasp of the keepers with grandeur and velocity. Lieut. Paget, in a most spirited style, stood up in the car, when at the distance of about fifty yards from the ground, and waved his flag. Mr. Sadler sat in the car, but shortly after, both waved their hats and flags. It wanted exactly seventeen minutes to three o'clock when the balloon ascended.

A light air from the westward carried the aerial travellers slowly due east. Five minutes after, they bore from the Mermoid gardens east and by south. The balloon continued to ascend during twenty minutes, after which it entered a cloud and disappeared, but was shortly seen again, and visible at Hackney twenty-eight minutes after

ter the ascent. When at a considerable height from the earth, Mr. Sadler and the lieutenant waved their flags together, which produced a fine effect. The general opinion was that the aerial travellers would be driven towards Essex; but experience has proved that a contrary current of air has frequently driven adventurers in the air from the point they had expected to make. At three o'clock it had passed over Rumford; from thence it took a direction towards Kent.

The feeling experienced by the spectators when the balloon rose can be better conceived than expressed. The loudest shouts followed the adventurers, until the plaudits could no longer be heard in the azure expanse. We did not hear of any serious accident; but it is probable that several persons have been materially injured, as the crowd about the Mermaid was beyond any thing we can describe. Lord Yarmouth and several persons of distinction were among the spectators, and about three thousand persons were in the gardens of the Mermaid. Hackney church was covered by men, women, and children, and in short every house that commanded a view of the exhibition.

Scarcely had the multitude lost sight of the magnificent balloon, which bore Mr. Sadler and his intrepid companion amidst the regions of air, when numerous surmises were afloat, as to the probable termination of their hazardous undertaking. In the course of the evening a variety of reports were circulated; some of which bore the stamp of authenticity; while others, from their extravagance, were rejected with contempt. About six o'clock a person arrived in Hack-

ney, who stated that the balloon had burst over Dartford, and had precipitated the aerial voyagers on the roof of the church of that town, where they were dashed to pieces. It is impossible to conceive the alarm which this story at first excited; but fortunately, on the informant being more closely questioned as to the source of his information, he was found so completely deficient in the necessary corroborative facts, that his tale was pronounced fabulous before it reached the ears of the family of the venerable aeronaut, who anxiously awaited his arrival. The next report that reached that quarter was, that the balloon had been wafted across the British Channel, and was in the direct course for the coast of France. This story was for some time credited, as the direction which the balloon first took fully warranted such a supposition. The arrival of other reports, however, created a suspicion as to the truth of any, and all opinions were suspended until about nine o'clock, when the sound of distant shoutings and acclamations announced the approach of some information which could be depended upon. The Mermaid and all the surrounding houses were instantly deserted: the old and young, the sober and the intoxicated, rushed forth to welcome the supposed messenger, when, to the delight of all, the objects of their anxiety were seen approaching in a post-chaise, amidst an immense throng of spectators, who by their pressing round the carriage completely retarded the motion of its wheels, and at length rendered it necessary to call in the assistance of constables, to emancipate the travellers from the bondage in which they were held by the curiosity of the delighted populace,



lace, whose enthusiastic shouts proved the genuine satisfaction with which they regarded the safe return at night of those who had so greatly contributed to their amusement in the morning.—We shall now proceed to communicate to our readers such particulars of the voyage as we have been able to collect from the most authentic sources:

At about seventeen minutes before three, the ballast, amounting to about 180lbs. weight, refreshments, &c. having been properly stowed, Mr. Sadler, jun. desired all hands to let go, still holding by the car; and immediately afterwards the machine began to ascend in a most majestic manner, and continued to ascend almost in a perpendicular line to a height of about 30 yards: it, then took an easterly direction, still continuing to ascend in a gentle manner. The aëronauts were soon at a sufficient height to have an extensive view of the country beneath them, which was covered with innumerable crowds of spectators. Mr. Sadler states that during this time Mr. Paget remained perfectly cool and collected, and remained so through the whole of the voyage; and the impression which was made upon his mind by this sublime scene, for the first time, may be more easily imagined than described. He was for some minutes deprived of the power of expression, and incapable of communicating his sensations to his companion: he still, however, continued to wave his flag, and communicated by signs with those friends whom he had left below, but whose forms soon became indistinguishable in the mass. At three o'clock, the balloon still continuing to ascend, the aerial travellers observed beneath them what appeared to be two large cisterns of

water, but which subsequent observation proved to them were the East India docks. The thermometer now stood at 52 and a half, but from some accident which happened to the barometer, no observations could be made on that during the continuance of the voyage. The balloon being quite distended, it became necessary to let out some of the gas; and this was done at intervals till the balloon descended. Mr. Paget was now busily employed in preparing the grappling irons, and other apparatus for descending, and throwing out ballast as occasion required. The ascent of the balloon now became very rapid, and the travellers were soon at an immense height. At ten minutes past three, they crossed the Thames at Galeons Reach, and the sound of a piece of ordnance from Woolwich was distinctly heard by Mr. Sadler and his companion, and they observed the smoke, which apparently rose from the earth, but could not, at that time, distinguish any object clearly. Mr. Sadler upon this waved his flag, and another piece of ordnance was discharged, as if to return the compliment as they passed. The city of London, the four bridges, the Thames, and the German Ocean, were then distinguishable to the aëronauts, and at this period Mr. Paget drew the cork of a bottle of Madeira, and the health of the prince regent was drunk in a bumper. The prospect, which at this period, for the first time, presented itself to the view of Mr. Paget, was beyond the power of description—the capital was at that time pronounced by him to be a small village, nor could he be persuaded to the contrary, till the four bridges, namely, London, Blackfriars, Westminster, and Battersea, which from

from their intercepting the river were rendered more conspicuous than other objects, were pointed out to him by Mr. Sadler; and to do justice to the scene which presented itself to their view at this time, is beyond the power of language to describe. As the aeronauts continued their course down the river, they were saluted by the discharge of several more pieces of artillery, and at half past three they drank the health of all their friends at Hackney and the Tower Hamlets militia. At half past three Mr. Sadler perceiving that the balloon was approaching the sea, felt it prudent to look out for a spot on which to effect a landing; and in order to cause the balloon to descend, a quantity of gas was let out by opening the valve. The balloon then descended till the ships in the river from Woolwich to the Nore became perfectly distinguishable.

On crossing the river at St. Clement's Reach, the balloon descended so low that the travellers distinctly heard persons conversing in the Gravesend boats which were passing down the river, some of whom cried out—"Where are you going?" Mr. Paget threw out a loaf, which fell to leeward of one of the boats: the people on board, however, saw the action, and answered it by three cheers. At ten minutes before four, Tilbury Fort came in sight, and they had a perfect view of the town of Gravesend. Mr. Sadler now observed that the country round the Fort was perfectly flat, and remarked to his fellow voyager that it would be desirable to land on that side the river; and measures were taken to accomplish that object. On their nearer approach to the earth, they saw reapers at work in a wheat

field, and hailed them for assistance. An immediate chase commenced over hedges and across several ditches; but the balloon, however, for some time, took the lead: at this time a brisk gale was blowing, which rendered the descent extremely difficult; the grappling-irons were, however, thrown out, and dragged along the ground—in their course, they caught the clothes of a labourer, and he became so completely entangled that he could not extricate himself till his shirt was quite torn from his back. A number of persons were by this time collected together in all directions, by whose shouts, and by the novel appearance of the balloon, the cattle in the fields were alarmed to that degree that their actions became truly ludicrous. During this time the car frequently touched the ground, and rebounded again for several yards; and by one of these shocks Mr. Paget was thrown out of the car, but had sufficient presence of mind to catch hold of the rim of the car at the same instant, by which he persevered in holding till assistance arrived, and every thing was secured, and his companion Mr. Sadler released from his perilous situation, and safely landed on *terra firma*. At this time it wanted five minutes to four o'clock, and the travellers were within three hundred yards of Tilbury Fort, and about 150 yards from the river, the voyage having occupied a space of one hour and thirteen minutes. The balloon was soon secured, and, being placed in a boat, the aeronauts passed over the river to Gravesend, where they dined, and immediately after proceeded in a post-chaise-and-four to town, followed by a crowd of spectators, which, attracted by a view of the

balloon and car secured on the top of the chaise, increased to such a degree, that, long before their arrival in town, the chaise could only proceed at a walking pace. In this manner they proceeded to Hackney, at which they arrived, as we have stated, at ten minutes past nine o'clock, in perfect health and spirits. Mr. Sadler, in alluding to the various occurrences of the voyage, passes the highest compliments on Mr. Paget, whose steadiness, intrepidity, and personal courage, he says he cannot sufficiently admire. The only extraordinary sensation which Mr. Paget experienced was an extreme pain in his ear, when the balloon was at its greatest height, which gradually went off as it descended, and left him perfectly free from any inconvenience.

*Admiralty-office, August 17.*

This gazette contains a copy of a dispatch from sir C. Cotton, with inclosures from capt. Adam of the Invincible; capt. Codrington of the Blake; and lieut.-col. Green. They detail the operations in Catalonia up to the 1st June, and give some interesting but melancholy details of the siege of Tarragona. —Capt. Adam states in his dispatch, that when it was intended to substitute the regiment of Almeria for that of Iberia, which had hitherto been in that fort, the enemy found means to mingle himself with that regiment, and get possession of the Olivo without firing a shot, making 900 prisoners. —Lieut.-col. Green mentions, that the small advanced work on the sea-beach, called the Francoli, was destroyed in four hours by the batteries thrown up in the night of the 6th. The conduct of the Spanish troops on this occasion is highly commended: all the men who occupied the

Francoli, to the amount of about 145, being either killed or wounded, and the officer in command having left the fort the last person. The enemy afterwards made several attempts to carry the works which protect the communication between the sea and the town; but by the vigilance and bravery of brigadier Sarsfield were repulsed with considerable loss; and in one instance, though the enemy had rallied three times, he was completely defeated in his object. —The third is from capt. Codrington of the Blake, and relates to the succours conveyed into Tarragona by the Invincible and Blake, consisting of 4,000 men, and a considerable quantity of powder, ball-cartridges, &c.

Captain Codrington of the Blake says, that the French were carrying on the works near the Fuerte-Real battery, from which they would quickly be enabled to breach the wall of the town. In the mean time they were destroying the Custom-house, the large stores, and all the building of the Puerto. The exertion and ability of the French, in besieging this place, he believes never to have been exceeded.

*Blake, off Tarragona, June 29.*

Sir, Yesterday morning, at dawn of day, the French opened their fire upon the town: about half-past five in the afternoon a breach was made in the works, and the place carried by assault immediately afterwards. From the rapidity with which they entered, I fear they met with but little opposition: and upon the Barcelona side a general panic took place. Those already without the walls stripped and endeavoured to swim off to the shipping, while those within were seen sliding down the face of the batteries;

ries; each party thus equally endangering their lives more than they would have done by a firm resistance to the enemy. A large mass of people, some with muskets and some without, then pressed forward along the road, suffering themselves to be fired upon by about twenty French, who continued running beside them at only a few yards distance. At length they were stopped entirely by a volley of fire by one small party of the enemy, who had entrenched themselves at a turn of the road, supported by a second a little higher up, who opened a masked battery of two field-pieces. A horrible butchery then ensued; and shortly afterwards the remainder of these poor wretches, amounting to above three thousand, tamely submitted to be led away prisoners by less than as many hundred French. The launches and gunboats went from the ships the instant the enemy were observed by the Invincible (which lay to the westward) to be collecting in their trenches; and yet so rapid was their success that the whole was over before we could open our fire with effect. All the boats of the squadron and transports were sent to assist those who were swimming or concealed under the rocks; and notwithstanding a heavy fire of musketry and field-pieces, which was warmly and successfully returned by the launches and gunboats, from 5 to 600 were then brought off to the shipping, many of them badly wounded.

I cannot conclude my history of our operations at Tarragona, without assuring you that the zeal and exertion of those under my command, in every branch of the various services which have fallen to their lot, have been carried far beyond the mere dictates of duty.

The Invincible and Centaur have remained with me the whole time immediately off Tarragona; and captains Adam, White, and myself have passed most nights in our gigs, carrying on such operations under cover of the dark as could not have been successfully employed in the sight of the enemy. I do not mean as to mere danger, for the boats have been assailed with shot and shells both night and day, even during the time of their taking off the women and children, as well as the wounded, without being in the smallest degree diverted from their purpose. It is impossible to detail in a letter all that has passed during this short but tragic period. But humanity has given increased excitement to our exertions; and the bodily powers of captain Adam have enabled him perhaps to push to greater extent that desire to relieve distress which we have all partaken in common.

Our own ships, as well as the transports, have been the receptacles of the miserable objects which saw no shelter but in the English squadron; and you will see by the orders which I have found it necessary to give, that we have been called upon to clothe the naked, and feed the starving, beyond the regular rules of our service. Our boats have suffered occasionally from the shot of the enemy, as well as from the rocks from which they have embarked the people; amongst others, the barge of the Blake, which however I was so fortunate as to recover, after being swamped and upset in consequence of a shot passing through both her sides, with the loss only of one woman and child killed out of twelve, which were then on board in addition to her crew. But the only casualty of importance

which has happened in the squadron is that which befel the Centaur's launch on the evening of the 28th; and I beg to refer you particularly to the observations of captain White respecting lieut. Ashworth, whose conduct and whose misfortune entitle him to every consideration,

(Signed)

EDWARD CODRINGTON.

Capt. Codrington further states, that he had received intelligence that gen. Contreras was wounded and made prisoner, and that the general personally distinguished himself; that the governor (Gonzalez), with a handful of men, defended himself to the last, and was bayoneted to death in the square near his house; that man, woman, and child, were put to the sword upon the French first entering the town, and, afterwards all those found in uniform or with arms in their houses; and that many of the women, and young girls of ten years old were treated in the most inhuman way; and that after the soldiers had satisfied their lust, many of them, it was reported, were thrown into the flames, together with the badly wounded Spaniards: one thousand men had been left to destroy the works; the whole city was burnt to ashes, or would be so, as the houses were all set fire to; the only chance in their favour was the calm weather and the sudden march of the French, by which some houses might escape.

Two general memorandums of capt. Codrington here follow. They direct, that in consequence of Tarragona having been taken by assault, by which numbers of the troops, with many of the inhabitants and their families, are reduced to distress, and quite naked; the different ships on board which they

are shall supply them with such necessary articles of clothing as decency and humanity require, and also subsistence.

SUSSEX ASSIZES.—LEWES, Aug. 17,

*Fleet Bank Notes.*

John Bates Shuckard was charged on several indictments, with various frauds, effected by the following contrivances:—On the 25th of July, he went to the Old Ship, at Brighton, which is kept by a person of the name of Shuckard, and introduced himself as a name-sake. He told the landlord that he knew his brothers very well, and that he had lately seen his younger brother, who had sent him a letter and a parcel, and was surprised that he had not received any answer in return. The landlord, who is a German, said that he was very glad to see a namesake, as he never knew of one in England; and treated him hospitably, recommending him to lodge at a neighbour's. A day or two afterwards, at dinner, he related a story of the apprentice boy where he lodged having stolen a watch; and added, as he was a dealer in lace, he had considerable property about him, which he would thank the landlord to take care of. He then produced a 500*l.* and 50*l.* note, and said, "You see here is 550*l.*." These notes he then sealed up in a piece of paper, and delivered them to Shuckard, the landlord. He afterwards went about the town, and bought a variety of articles of lace, jewellery, &c. referring to the landlord for his responsibility, who readily answered that he had deposited considerable property with him. This obtained him credit, and he got the goods of several tradesmen, with which he decamped. Suspicion arising, the deposited notes were examined,

examined, when they turned out to be Fleet bank notes for so many pence.

The prisoner was acquitted on the charge of frauds, on a deficiency of evidence; but he was convicted of publishing a note with the sum expressed in "white letters on a black ground," which by the Bank act is a misdemeanour subject to six months imprisonment; which sentence he received.

#### WARWICK ASSIZES.

John Oughton and Charles Lee were indicted for the wilful murder of Richard Whitton, at Kenilworth, about twenty years ago.

Mr. Clarke addressed the jury.—The subject of this trial was the death of a young man at Kenilworth, in this county, in the month of October 1790. He was found floating on the water, lifeless: at the time it was not known who it was that caused his death, but there appeared to be many marks of violence on his body. During 20 years nothing had transpired to throw any light on the mysterious circumstances attending the death of this unfortunate person, till about eight or nine months ago, when Lee, who had been tried for an offence and sent to the hulks, in a conversation with a fellow convict gave the particulars of the whole affair. Oughton was in consequence taken into custody as an accomplice; and they were now to take their trial, on suspicion of the above murder.

Mrs. Elizabeth Burbridge formerly lived at Kenilworth. She knew the deceased (Richard Whitton) before he was married; he was a young man. She knew both the prisoners, Oughton and Lee; they were both living at Kenilworth. The last time she saw

Whitton was the night before he was found dead; she thought it was about twenty years ago. Deceased overtook witness as she was at Kenilworth, the night before, about nine o'clock; they walked near Washbrook-bridge. Deceased had hold of her hand, but he slipped behind her. There was an orchard near the bridge where he slipped behind her; she walked slowly on, expecting him to follow. She heard him call; he said "Stop, Barnes," (her maiden name) two or three times: he called in a whispering tone of voice, not very loud; she looked back, and saw him stooping down—this was near Lee's house. She heard deceased run over the bridge; she walked over the bridge after him, towards Lee's house, after which she saw no more of him.

Sarah Smith lived at Kenilworth in the year 1790. She remembered the time when Whitton was found drowned. The evening before, she was going to Mr. Dunn's, the brother of her master, about eight o'clock; it was a very moon-light night. When she got opposite to Mr. Lyttleton's, she saw a man come over the Hallybone-style, as it is called; the man was running very fast towards Mr. Lyttleton's factory; she knew him to be Charles Lee—he was dressed in a light-coloured coat, with sleeves darker than the body; his waistcoat was unbuttoned; his stockings were ungartered and slipped down. When he met her, she said, "Hallo, Lee!" He held up his hand clenched, and said "Hold your tongue, and don't speak a word." He did not stop at all, but ran on all the way very fast. Witness stopped and looked after him, to see where he went, but lost sight of him against Mr. Lyttleton's factory. She

She went on till she came to a small wooden bridge in Mill-end; when she heard a great noise in the water, but did not see any thing. The next morning she saw the prisoner, Charles Lee: she said to him, "Lee, where was you going in such a hurry, last night, when I met you?" He said, "I'll be d—d if you met me—I was not away from home after seven o'clock, last night." She was quite certain Lee was the man she met.

Mr. Matthew Wilcox was a surgeon, living at Kenilworth in the year 1790; he remembered being called in to examine the body of young Whitton, when he had been taken out of the water two or three days: from the examination of the body, he judged that the deceased had been strangled.

John Woodcock, esq. was coroner on the body of Richard Whitton. He received the deposition of Mr. Ridges, a surgeon of Kenilworth, but who is since deceased, and who examined the body together with the last witness [The examination was then read]; by which it appeared to be his opinion, that the deceased was partly strangled before he was thrown into the water.

The next witness called was John Clayton, a convict on board the hulks. He knows the prisoner Lee; he saw him on board the hulks at Langston-harbour near Portsmouth. It was some time in January last he was with Lee, and had conversation with him respecting Whitton. About this time a newspaper fell into his hands respecting the death of Mr. Whitton, and that a man of the name of Oughton had been taken up for the murder. He told Lee of the circumstance: previous to which, he asked Lee if he knew a man of

the name of Oughton. He said he did. Lee then told the circumstances of the case: "I and Oughton went to get apples in Whitton's father's orchard. I left Oughton to watch, while I went to the apple-tree; Oughton saw Whitton coming, and called out to me, he was after us. Oughton ran across a small meadow, and Whitton after him. When I saw them run, I dropped down from the apple-tree, and followed them across the meadow. Oughton leaped at the mill-dam, and jumped into it. When I got to the edge of the mill-dam, Whitton and Oughton were struggling in the water. Oughton called out to me, If you do not assist me he will drown me; he is too strong. I ran up, and jumped on the top of Whitton in the mill-dam. Soon after, Oughton and I left the deceased in the dam."

His lordship then asked the prisoner Lee, what he had to say in his defence: to which the prisoner replied, "My lord, I have nothing to say, but hope you will spare my life."

Mr. baron Thompson then addressed the jury.—He requested they would dismiss from their minds any circumstances they had heard related, or any thing they had seen in print, respecting this transaction, against the prisoner Charles Lee. With respect to Oughton, his lordship observed, that there was no evidence whatever to criminate him. After recapitulating the evidence with much perspicuity, his lordship closed by saying, it would be the safest way to find the prisoner Lee guilty of manslaughter.

The jury consulted for about five minutes, and returned a verdict against Lee,—Guilty of manslaughter, and an acquittal in favour of Oughton.

## CONTRACTS OF MARRIED LADIES.

Mrs. Franco, wife of John Franco, and daughter of Mr. Abraham Franco, was opposed, on her application to take the benefit of an insolvent act, by Mr. Alley, as counsel for divers tradesmen and shopkeepers in the town or village of Hounslow, who were defrauded of property to a considerable amount, the lady not passing herself as a married woman, which she was, and living apart from her husband, by virtue of a voluntary deed of separate maintenance granted to her without any charge of adultery. It appeared, however, that she never represented herself as a single woman, or otherwise than as Mrs. Franco. She was therefore not within the case of married women trading on their own credit within the city of London, and was of course discharged.

## SHOOTING A GAMEKEEPER.

On the morning of the 17th inst. soon after six o'clock, Mr. Thomas Astill, who had been for many years head gamekeeper to earl Spencer at Wimbledon park, arrived at his own house speechless, and was found to have his skull dreadfully fractured, apparently by a bullet from a horse pistol, which had perforated his hat in two places: he was also much struck across both his thighs by the hilt of a sword or cutlass. He was seen not long before, by some men who were mowing in Wandsworth fields, to follow and overtake a man in a dark-coloured jacket, who had just been shooting and taking away some game, and they were observed to walk together towards the park paling, not above 5 or 600 yards from his residence; although neither the gun he had with him, nor the hanger

he carried suspended by his side, can be found. He has since undergone the operation of trepanning; but we understand he now lies in a very dangerous state. We are, however, happy to find that owing to the exertions of Vickery and Lavender the villain has been taken. It seems, on Saturday morning, as the nephew of Astill was going out to work, he heard the discharge of a musket; he returned to his uncle's house in the noble earl's park, and informed him. Astill, suspecting it was some person shooting the young game, went out in pursuit of him and took his gun with him. Some labourers informed him the gun was discharged by a man in a field at the back of his house; he traced him, and was seen to come up with him. The man who had discharged the gun, walking deliberately, and the gamekeeper making all possible speed after him. They had a little scuffle together; but all the violence that the man who was said to have discharged the gun used, was pushing the gamekeeper from him.—These circumstances were seen by some men at a distance; the last time that they were seen they were getting over some paling together in the park. In about half an hour after, the gamekeeper reached his home, in a very exhausted state, from the loss of blood, from a desperate wound he had received on the left side of his head, just above his ear, and speechless. His state was such that he could not give any account who had wounded him, but by signs. An alarm was given at earl Spencer's house; and the gamekeeper being a highly respectable servant, having lived in the family between forty and fifty years, and being at the advanced age of about seventy, every exertion



exertion was made for surgical assistance, and to pursue the perpetrator of the horrid deed. Mr. Shillitoe, the surgeon of Putney, arrived soon after, who, finding the wound of a very desperate nature, sent off an express for Mr. Carlisle, the surgeon, from London. Application was also sent to the public office, Bow-street; and Lavender and Vickery were dispatched in a post-chaise. On their arrival, at Wimbledon, on Saturday afternoon, they found, from the best information they could procure, that a man of the name of Wm. Holt, who had come out of Hampshire to work at the harvest, was the man suspected, and that he had been employed by a farmer, a tenant of earl Spencer, to cut a field of barley in conjunction with another man, near the place where the gun was discharged from. He was to have finished the field of barley on Sunday by himself, the other man being employed in another part of the farm that day; he had been in the field of barley, it was ascertained, having left his victuals and bottle of beer there for the day, but had not been at work. The officers went to the Antelope at Wandsworth, where he lodged, but he did not go home during Saturday, nor did he go home at night. The officers ascertained that he was at Richmond and Isleworth in the course of Saturday. On Sunday the man who worked with him in the barley field traced him to Isleworth, and walked with him to Brentford, Chiswick, and Putney; from thence he sent his fellow workman to endeavour to get his shoes and flannel waistcoat; but the officers having been there, and informed him of the charge that was against him, he refused to let the clothes go.

The officers several times lost all trace of him for six or seven hours, but at length pursued him to Hampton Wick, through Kingston to Hounslow, and from thence to Farnham, where they found him at the public-house called the Waggon and Horses. They learnt that after he arrived there he discharged a musket in the yard belonging to the house.

When the officers inquired of him respecting the musket, he said it did not belong to him, but to a soldier. The officers not being satisfied with this account, searched the house by permission of the landlord, and found in the cellar, behind a beer barrel, a gun, which proved to be the same that earl Spencer's gamekeeper went out with. This took place on Wednesday evening. They took him into custody of course, and on Thursday he was taken before the wounded gamekeeper, who is not able to speak: he was propped up in his bed, but by strong signs identified the prisoner as the man who wounded him; he having his perfect hearing, his evidence was taken before major Fleming, a magistrate. The witnesses to prove him on the spot were examined before major Fleming and two other magistrates, on Thursday, at the Spread Eagle, at Wandsworth, from whence he was committed.

#### SWITZERLAND.

A letter from Lausanne, of the 24th of June, says—"Another *avalanche* took place on the 14th inst. at Villeneuve, near the Lake of Geneva; but unaccompanied by those dreadful consequences attendant on former ones. The heavy rain that fell during the preceding month detached the summit of the mountain from its base, as large fissures, three yards wide, were

were observable two weeks preceding. These warned the inhabitants of their danger, and the most wealthy removed their effects; and the magistrates made such provision for the poorer orders, that they were enabled to follow. On the 14th, at mid-day, the atmosphere being remarkably serene and clear, the summit of the Fourches, covered with several hundred trees, suddenly gave way: the concussion was heard eight miles off. The ruins occupy a space of one mile and a quarter, including a part of Villeneuve, At Vevay and Noville, the *avalanche* had all the effects of an earthquake, the houses being rocked, the earthenware broken, and the furniture displaced."

#### A SELF-CREATED KING.

A late Philadelphia journal contains a singular account of Mr. Lambert, mariner, of Salem, Massachusetts state, having taken possession, with two associates, of Tristan d'Acunha, Inaccessible, and Nightingale islands, in the Western Ocean. Mr. L. in a proclamation, Feb. 4, declares his intention of founding a settlement there; and says, that as they have never been claimed by any power, he shall from the above date constitute himself the sole proprietor of those islands, not by right of conquest or discovery, but by the rational and *sure* principles of absolute occupancy. The general denomination of the islands has been altered by him to that of the Islands of Refreshment. The reason which he assigns for this undertaking is the hope of a future competency for his family, and a relief from embarrassments by which he has hitherto been afflicted. It is Mr. Lambert's intention to pay the strictest attention to husbandry, and to supply ships which shall

come to him, with all the articles of the island at a cheap rate. He has likewise adopted a standard flag for the island. He and his people are to be bound in the course of traffic and intercourse with any other people, by the principles of hospitality and good fellowship and the laws of nations; at the same time reserving for himself the power of deviating from these laws whenever particular contracts or other engagements should interfere. The editor of the Philadelphia journal says that, notwithstanding the eccentricity of Mr. Lambert, he, no doubt, will establish a very useful settlement. He was conveyed to the island from Rio Janeiro on the 1st of January; and in 34 days had cleared about 50 acres of land, and planted various kinds of seeds, some of which, as well as the coffee-tree and sugarcane, were furnished him by the American minister at Rio Janeiro.

#### IRELAND.

At the late Cork assizes, Maurice Noonan stood indicted for a burglary and attempt to rob the house of sir J. Purcell, at Highfort, on the night of 11th of March last. The trial excited considerable interest, and every body seemed anxious to hear the narration of a transaction, in which on one side though the guilt exhibited may but too frequently be equalled, the courage, intrepidity, and coolness displayed on the other have never been exceeded, and seldom indeed have they been matched, in the history of human resolution.

Sir J. Purcell, the first witness called, said, that on the night of 11th March last, about one o'clock, and after he had retired to bed, he heard some noise outside the window of his parlour. He slept on the ground-floor, in a room immediately

immediately adjoining the parlour. There was a door from one room into the other; but this having been found inconvenient, and there being another passage from the bed-chamber more accommodating, it was nailed up, and some of the furniture of the parlour put against it. Shortly after sir John heard the noise in front of his house, the windows of the parlour were dashed in, and the noise occasioned by the feet of the robbers leaping from the windows down upon the parlour, appeared to denote a gang not less than 14 in number, as it struck him. He immediately got out of bed; and the first determination he took being to make resistance, it was with no small mortification that he reflected upon the unarmed condition in which he was placed, being destitute of a single weapon of the ordinary sort. In this state he spent little time in deliberation; as it almost immediately occurred to him, that having supped in the bed-chamber on that night, a knife had been left behind by accident, and he instantly proceeded to grope in the dark for this weapon, which happily he found before the door leading from the parlour into the bed-chamber had been broke open. While he stood in calm but resolute expectation that the progress of the robbers would soon lead them to his bed-chamber, he heard the furniture which had been placed against the nailed-up door expeditiously displaced, and immediately afterwards this door was burst open. The moon shone with great brightness; and when this door was thrown open, the light streaming in through three large windows in the parlour, afforded sir John a view that might have made an intrepid spirit not a little apprehensive. His bed-room was darkened to excess, in consequence of the shut-

ters of the windows, as well as the curtains, being closed; and thus, while he stood enveloped in darkness, he saw standing before him, by the brightness of the moon-light, a body of men, all armed, and of those who were in the van of the gang he observed that a few were blackened. Armed only with this case-knife, and aided only by a dauntless heart, he took his station by the side of the door, and in a moment after, one of the villains entered from the parlour into the dark room. Instantly upon advancing, sir John plunged the knife at him, the point of which entered under the right arm, and in a line with the nipple; and so home was the blow sent, that the knife passed into the robber's body, until sir John's hand stopped its further progress. Upon receiving this thrust, the villain reeled back into the parlour, crying out blasphemously that he was killed: shortly after, another advanced, who was received in a similar manner, and who also staggered back into the parlour, crying out that he was wounded. A voice from the outside gave orders to fire into the dark room; upon which a man stepped forward with a short gun in his hand, which had the butt broken off at the small, and which had a piece of cord tied round the barrel and stock near the swell. As this fellow stood in the act to fire, sir John had the amazing coolness to look at his intended murderer; and without betraying any audible emotion whatever, that might point out the exact spot which he was standing in, he calmly calculated his own safety from the shot which was preparing for him. He saw that the contents of the piece were likely to pass close to his breast, without menacing him with at least any serious wound, and

and in this state of firm and manly expectation he stood without flinching until the piece was fired, and its contents harmlessly lodged in the wall. It was loaded with a brace of bullets and three slugs. As soon as the robber fired, sir John made a pass at him with the knife, and wounded him in the arm, which he repeated again in a moment with similar effect; and, as the others had done, the villain, upon being wounded, retired, exclaiming that he was wounded. The robbers immediately rushed forward from the parlour into the dark room, and then it was that sir John's mind recognised the deepest sense of danger, not to be oppressed by it, however, but to surmount it. He thought that the chance of preserving his own life was over, and he resolved to sell that life still dearer to his intended murderers, than even what they had already paid for the attempt to deprive him of it. He did not lose a moment after the villains had entered the room, to act with the determination he had so instantaneously adopted; he struck at the fourth fellow with his knife, and wounded him; and at the same instant he received a blow on the head, and found himself grappled with. He shortened his hold of the knife, and stabbed repeatedly at the fellow with whom he found himself engaged. The floor being slippery, from the blood of the wounded men, sir John and his adversary both fell; and while they were on the ground, sir John, thinking that his thrusts with the knife, though made with all his force, did not seem to produce the decisive effect which they had in the beginning of the conflict, he examined the point of his weapon with his finger, and found that the

blade of it had been bent near the point. As he lay struggling on the ground, he endeavoured, but unsuccessfully, to straighten the curvature of the knife; but while one hand was employed in this attempt, he perceived that the grasp of his adversary was losing its constraint and pressure, and in a moment or two after he found himself entirely released from it:—the limbs of the robber were in fact by this time unnerved by death. Sir John found that this fellow had a sword in his hand, and this he immediately seized, and gave several blows with it, his knife being no longer serviceable. At length the robbers, finding so many of their party had been killed or wounded, employed themselves in removing the bodies; and sir John took this opportunity of retiring into a place a little apart from the house, where he remained for a short time. They dragged their companions into the parlour; and having placed chairs with the backs upwards, by means of those they lifted the bodies out of the window, and afterwards took them away. When the robbers retired, sir John returned to the house, and called up a manservant from his bed, who, during this long and bloody conflict, had not appeared, and had consequently received from his master warm and loud upbraiding for his cowardice. Sir John then placed his daughter-in-law and grandchild, who were his only inmates, in places of safety, and took such precautions as circumstances pointed out till the day-light appeared. The next day, the alarm having been given, search was made after the robbers; and sir John having gone to the house of the prisoner, Maurice Noonan, upon searching, he found concealed under his bed the

the identical short gun with which one of the robbers had fired at him; Noonan was immediately secured, and sent to gaol; and upon being visited by sir John Purcell, he acknowledged that sir John "had like to do for him," and was proceeding to show (until sir John prevented him) the wounds he had received from the knife in his arm.

An accomplice, John Daniel Sullivan, deposed, that he was one of the party that met at Noonan's house to rob Highfort-house; that they were nine in number, and had arms; that the prisoner was one of the number, and that he carried a small gun. Upon the gun being produced in court with which sir John Purcell had been fired at, the witness said it was that with which the prisoner was armed the night of the attack. Witness said, he did not go into Mr. Purcell's house; that two men were killed and three severely wounded, out of the nine of which the party consisted. He said he was induced to come forward and give evidence, upon hearing that two men named Cushing, who were innocent, were accused of being of the party that attacked sir John Purcell's house. He said he did not hear that informations had been sworn against him before he delivered himself into custody. The witness stood a long and rigorous examination by Mr. O'Connell; but none of the facts seemed to be shaken, though every use was made of the guilty character of the witness. The prisoner made no defence; and judge Mayne then proceeded to charge the jury in a manner the most copious and perspicuous, and at the same time earnestly exacting for the prisoner whatever could be expected from a junction of the purest humanity with justice. He

commended with due approbation the bravery and presence of mind displayed through a conflict so unequal and so bloody by sir John Purcell. The jury, after a few minutes, returned their verdict—Guilty.

#### STAFFORD ASSIZES.

##### *Burglary.*

90. George Taylor, alias John Smith, alias William Smith, James Barker, Isaac Hickman, William Turner, and Abraham Whitehouse, were indicted for breaking into the dwelling-house of William Church Norcop, at Betton, and stealing thereout one bank post-bill, value 54*l.* one other ditto, value 32*l.* 18*s.*; one other ditto, value 20*l.*; five one-pound notes, five two-pound notes, five other one-pound notes, five other two-pound notes, two guineas, ten half-guineas, ten seven-shilling pieces, and other pieces of gold and silver, with some plate. As Mr. Norcop could only swear to one of the prisoners, it was found requisite to admit one of them as evidence on the part of the crown, in order to satisfy the ends of justice, and Sheldon was chosen for that purpose.

W. C. Norcop being sworn, stated, that having fastened the doors of his house about ten o'clock, he went to bed, but was awoken by a noise at his chamber door about twelve; he saw a light, and the door open, and immediately asked, Who's there?—What's the matter? On this, two men, with their faces blacked and dirty smock-frocks on, came up to the bed. Whitehouse was one of them, and held a pistol over him; the other stood with a candle behind Whitehouse, who said, "Give me your money—give us your keys." He said the keys were in his breeches pocket; they took them up, and took the money

money out of the pocket; they then went to the bureau, when a third man came to the opposite side of the bed, and said "Be still; be quiet," several times. Not finding the key fit very readily, the bureau was burst open; he heard them pour the money out of the drawers, but could not see them, and they then left the room. The prisoner Turner was a footman in his service about four or five years ago. On examining a bureau and a closet, he missed the property mentioned in the indictment.

Samuel Sheldon—knows the prisoners at the bar; assisted them in breaking into Mr. Norcop's house. About a fortnight before the burglary was committed, he met Turner, who asked him to go along with him to rob Mr. Norcop; he could go in and take the money himself, if somebody would watch; and he consented to go. Turner said he had four more to assist, and they were to meet at the Wheat-sheaf in Wolverhampton on the 24th of March. They all met there at the time appointed; and about eleven o'clock set out towards Drayton. They did not walk all together, but kept in sight of each other. They slept at Newport that night, and about ten o'clock in the morning proceeded on towards Drayton. They arrived within 100 yards of the house about nine o'clock in the evening. Turner told them to stay there, while he went and put things ready for going in. Turner and Taylor then went into the house; Turner entered through the hall-door, turned into the parlour on the right hand, unfastened the shutters and sash window, and then came out. They all stayed in the out-buildings till about twelve o'clock, and having blackened the faces of witness,

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Whitehouse, Turner, and Baker, and put smock-frocks on Whitehouse and Turner, they went to the house. Turner entered through the window he had before unfastened, opened the hall-door, and let them all in; he then went and lighted the candles. Taylor was stationed outside, with a pistol, to prevent any one coming in or out; another pistol was given to witness; and Turner, with the third in his hand, led the way, showed them Mr. Norcop's room, and then went down, he being fearful that Mr. Norcop would know him if he went in. Whitehouse asked Mr. Norcop for the keys, and seeing him agitated gave witness the candle to hold, took the pistol, and stood by Mr. Norcop, who gave him his small-clothes, out of which he took the money, and the key of the bureau. Hickman tried the key, and it not fitting very readily, he took an instrument from under his coat and forced it open. Whitehouse then came to the bureau, took the cash, &c. out, and put it into a small bag. They then went out, and directly after heard a bell ring, on which Turner fired a pistol to alarm them. They then set out for Eccleshall, to divide the spoil; in doing which they quarrelled, Whitehouse and Taylor, who carried the cash, being charged with secreting part of it. Having shared the booty, they separated. Turner and witness went to the Dolphin Inn, Stafford; Turner told the landlady he was come to pay her the guinea he owed her. They breakfasted there, and had three tankards of ale, and Turner gave her a bank post-bill for 32*l.* 18*s.* which he asked her to change, and keep the guinea; but she did not like to change it; he therefore paid the reckoning with a crown-piece.

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piece. They then went to the White Bear, at which place they met their four companions. Witness and Turner set out for Penkridge on foot, and when about two miles distant were overtaken by Taylor and Whitehouse in a chaise, into which they entered, and went to Penkridge. They hired another chaise at Penkridge, in which they proceeded towards Wolverhampton; but when near Wolverhampton, Whitehouse and Taylor got out.

J. Maddock stated, that he kept the Red Bull public-house at Sandy-lane; recollected Taylor coming to his house, with three other persons, about eight o'clock on the 25th of March. They had six rolls, part of which they ate, and put part in their pockets. They said they had a companion on the road, who was sick; and they went out twice, as he supposed, to take him refreshment. They left his house between eight and nine. Knows Turner very well.

Mrs. Shallcross stated, that she kept the Dolphin Inn, Stafford; that Turner, in company with a man who had a lame hand, came there on the 26th of March, and told her he was come to pay the guinea he owed her; she told him, that was right; that they breakfasted, and had three tankards of ale; in payment he offered her a bill, which she desired a traveller to look at, who asked her if she had, and if she knew the amount of it? She replied, No. He then told her, it was for 32l. 18s. and she refused to change it. Turner then paid the reckoning with an old crown-piece, and said, he would go and get the bill changed, and come back and pay her the guinea. The two men then went out, and did not return.

Mr. C. Collins, cashier at the bank of Messrs. Stephenson and Webb, stated, that Turner brought a bank post-bill, value 32l. 18s. to him, on the 26th of March, to be cashed; the bill not being indorsed, he refused to do so,

J. Turner stated, that he was a clerk to Messrs. Birch and Yates; that between the hours of nine and eleven, on the 26th of March, a man he could not swear to came to the bank, and presented a 54l. bank post-bill for change, for which he gave him 54 one pound Stafford notes; that, on the same day, Hickman came and asked for change for a 20l. bank post-bill, but not being indorsed, it was refused.

— Roberts stated, that he, with two other persons, went in pursuit of Whitehouse and Turner. He traced them to a cottage at Kenilworth, in Warwickshire. He had a loaded pistol with him; but to prevent its going off, he put the guard over the trigger. Having forced the door open, he saw Whitehouse and Turner, one on each bed, upon which he immediately sprang forward, and seized upon Whitehouse with his left hand. Whitehouse immediately put his hand under the bed-clothes, pulled out a pistol, presented it at the witness's breast, and pulled the trigger, but, fortunately, it flashed in the pan; witness then threw him on the bed. Whitehouse again endeavoured to put his hand under the bed-clothes, but witness prevented him; and finally succeeded, with the assistance of the other two men, in securing and handcuffing them. On searching the bed, another pistol was found, which, as well as the first, was loaded with powder and a bullet; and in the pockets of the prisoners were

were found some more gunpowder, bullets, and a bullet-mould.

Some other witnesses were called to corroborate the testimony of Sheldon, to one of whom Taylor confessed the whole of the particulars. Verdict—Guilty. [These men were all executed on the 24th of August.]

The *Moniteur* of the 19th ult. contains the following reply of Bonaparte to the address of a deputation from the Ionian Isles :

“ Gentlemen deputies from the Ionian Isles,—I have caused great works to be completed in your country. I have collected a great number of troops; and ammunition of all kinds. I do not regret the expenses which Corfu has cost my treasury. It is the key of the Adriatic.—I will never abandon the islands which the superiority of the enemy by sea has placed in their power. In India, in America, in the Mediterranean, every thing that is, and has been French, shall always be so. Conquered by the enemy, by the vicissitudes of war, they shall return into the empire by the other events of the war, or by the stipulations of peace. I should always consider it as an eternal blot upon my reign, if I ever sanctioned the abandonment of a single Frenchman.”

What has been called a tower erecting at Boulogne, is, it seems, a sort of column formed of marble found near Boulogne, and which is to be called The Column Napoleon. It is 162 French feet in height, and square. On the sides are two lions of bronze cast by Houdon, seventeen feet in height. In front is a representation in bronze of marshal Soult presenting the model of this monument to Napoleon in the name of the Army of the Coast; the figures are 13

feet in height. On the sea-front is a representation, also in bronze, of admiral Latouche Tréville, with marine attributes, and allegorical figures of Prudence and strength. These two bronzes are cased with porphyry. The column is surmounted by three eagles in bronze, cast by Getti, seven feet in height, supporting, on their wings displayed, the bust of Napoleon.

#### SPAIN.

The cortes of Spain adopted on the 19th of June, after a long and secret discussion, a decree accepting an offer made by the British government, of mediating with the Spanish provinces in South America. The decree consists of nine articles; and the mediation is accepted, on condition that an acknowledgement of the sovereignty of the cortes should be the basis of the treaty; and that the British government should, on the failure of the negotiation, suspend all intercourse with the refractory provinces, and assist in reducing them to subjection.

The activity of the *Guerrillas* in annoying the French continues unabated, and their attempts are generally successful. The *Empecinado* continues to signalize himself by the briskness and boldness of his attacks. He lately stormed a battery near one of the gates of Madrid, and carried off the cannon.—Among the booty taken by Mina from Joseph Bonaparte's escort, is said to be a quantity of gold and diamonds—the former amounting to 16 millions of reals, the latter to two millions.

#### ITALY.

Some decrees have been issued by Bonaparte for the improvement and embellishment of the city of Rome, and the raising a fund for the purpose. The navigation of



the river Tiber is to be made perfect, the bridges of Horatius Cocles and pope Sextus are to be rebuilt, and the Pantheon and the square of Trajan are to be enlarged and embellished.

The pope has been removed, by order of Bonaparte, from Savona, in the Genoese territory, to Tortona, a strong place in Piedmont.

#### GERMANY.

The misery into which many of the German states are plunged by an adherence to the "continental system" is inconceivable. A Leipzig journal states, that it was ascertained by the diet, that the manufactures of Saxony employed upwards of 400,000 workmen; but that they had since dwindled to about one fourth. In June, about 15,000 were in a state of starvation, in consequence of Russia having closed her frontiers to the goods of foreign manufactories.

The inhabitants of Berlin use lupines roasted, to supply the place of coffee.

#### RUSSIA.

A meteoric stone, of 15 pounds, fell on the 1st of March in the village of Konleghowsk, dependent on the town of Romea, in the government of Tschernigoff, in Russia, and making part of the domains of count Golovkin: its fall was preceded by three violent claps of thunder. When it was dug out from the depth of more than three feet, through a thick layer of ice, it still possessed heat: it was remarked, that at the third clap of thunder there was an extraordinary explosion, with a loud hissing noise, and throwing out a great number of sparks.

#### ASIA.

The nabob of Oude lately gave

a grand hunt, to which a number of European officers were invited, and in the course of which not fewer than twenty large tigers, which had long infested the country, and committed great depredations, were destroyed. Some elephants were, however, wounded in this diversion, and two or three of the hunters killed. An European gentleman (Mr. Collet) was dangerously wounded.

A letter from an officer on board his majesty's ship *Lion*, dated Bombay, Feb. 1, says, "On our arrival here, the Persian ambassador received a letter from the king of Persia, signifying that he had conferred on him the title of *khan*, which is the highest rank next to the royal family. All the Persians and Parsees at Bombay came off to the ship to pay their respects to his excellency; after which seven boats, with a band in one of them, came off to conduct him on shore. On leaving the ship, he was saluted by us with 21 guns, and received with a like salute on shore. On landing, sir Gore Ouseley was received with 21 guns, and the military were all turned out. We are to sail in a few days for the Persian Gulph, and are in hopes that we shall not remain there more than 15 days."

#### WEST INDIES.

An ordinance was published by king Christophe, on the 24th of June, prohibiting the foreign merchants from retailing cargoes assigned to them, and specifying the smallest quantity of merchandize they would be permitted to dispose of at one time, under a penalty of 3000 dollars.—In addition to creating various ranks of nobility, he has issued edicts for the establishment of a royal guard, an order of knighthood, and a clerical hierarchy. A body of 250 infantry, and  
a com-

a company of light horse, are to take care of the personal safety of his sable majesty, and two companies of light horse are to attend upon the queen and prince royal. The military order of the negro legion of honour is denominated the Order of St. Henry. A fund of 300,000 livres constitutes the endowment of the order, all the members of which must profess the Catholic faith. Determined to ape the monarch in the minutest circumstance, king Henry has also his royal gazette:

#### IRELAND:

The rev. Matthew Crowley, professor of the sacred scriptures in the college of Maynooth, read last month his recantation in Christ-church cathedral; and after divine service partook of the holy communion. This gentleman's conversion (if we are rightly informed) was principally occasioned by the following circumstance:—He had been for some time preparing himself to give his class in the college a series of lectures upon "the protestant heresy," as it is theologically termed in the Roman catholic ecclesiastical seminaries; and for this purpose had diligently studied all the leading points of controversy between the protestant and the Roman catholic religions, and most carefully examined that fountain of all truth, the holy scriptures; and critically, and with a mind bent upon impartial investigation, had perused Mr. Stackhouse's invaluable History of the Bible, and the late bishop Porteus's Lectures on the Gospels. The result has been, his renouncing the tenets of that religion in which he was brought up, and embracing the doctrines and opinions of the reformed church. His conversion

has, we understand, produced a very strong sensation in the college of Maynooth, and a great number of the students have manifested an inclination to follow his example. Mr. Crowley is about 38 years of age, and, as we are informed, is a gentleman of the most singular modesty, of spotless reputation, and of the most profound learning.

19. During a most tremendous thunder-storm, July 28, as the family of Mr. Robinson of South Park, near Hedon, Yorkshire, was sitting in the parlour after supper, the lightning entered the room; and Mr. S. Robinson, aged 28 years, who was sitting with his head close to the bell-handle, which had served as a conductor to the electric fluid, was instantly struck dead. The two miss Robinsons, and a Mr. Haggerston, were slightly bruised. A small discoloured place appeared on one side of the deceased's neck, and one on the outside of his thigh, but no other marks of the stroke were visible.

#### TRIAL OF BENJAMIN BYROM, AND HANNAH BYROM HIS WIFE, FOR MURDER.

20. The prisoners were charged with the wilful murder of Joseph Fisher, a chimney-sweeper, at Wakefield, by maliciously stirring up a fire, whereby the soot in the adjoining chimney was set on fire, and the deceased was so dreadfully burnt that he expired in a few days.

George Eyre, one of the sweeps employed on this occasion, stated, that himself, the deceased, and a boy of the name of Watson, went out on the morning of the 20th of April, at five o'clock, to sweep the chimney of Mr. Grace, the prisoner's neighbour. They knocked with their brushes at the house of the prisoners for half an hour, call-

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ing out "sweep!" but could get no answer; but the witness said he was sure some person in the house was up, as he heard a noise. Witness said, that the last time they swept the chimney of Mr. Grace (which was about four months before), Mrs. Byrom threatened, if they did not bring a sheet, and keep the soot from falling down into their house, she would set the chimney and the boy on fire. Witness proceeded to state, that he put Joseph Fisher in the chimney, and soon after he heard the fire stirred up. Witness went away, leaving Watson to take the boy out of the chimney when he came down. Witness was sent for again in consequence of the accident, and again knocked at the door of the prisoners: on its being opened, he found Benjamin Byrom tying up his stockings, and Watson told him the boy had been set on fire; on which Benjamin Byrom began to curse and swear, and blackguard them; and Hannah Byrom, who was up stairs, called out, and said if he, the witness, did not get away, she would throw some water in his face, and scald his eyes out.

George Watson, after stating most of what has been detailed in the evidence of the last witness, said, George Eyre having put Joseph Fisher into the chimney, left to the witness the care of taking him down: he continued in the chimney about ten minutes, when he fell down; his head came the first: he was all on fire. Witness went after the accident to Byrom's house; saw Eyre, and Grace, and Benjamin Byrom there; the wife was up stairs; did not hear her say, "You should have told us over night, that we might have put the fire out."

Mr. Slatter, surgeon, at Wake-

field, attended the deceased, whose death he stated to have been occasioned by being dreadfully burnt; he considered him in extreme danger from the very first, but could not state whether the boy was aware of his danger. But his lordship thought a declaration in such circumstances might be received as evidence; and the witness then stated, that he asked him, if he heard the fire stirred up whilst he was in the chimney? To which he replied, "Yes, I did;" the deceased said nothing more in his presence.

Mr. John Grace stated, that he got up in consequence of the noise made by the sweeps. He admitted that they had given no notice of their intention to sweep the chimney to the prisoner; and that on a former occasion, when they had given notice, no accident had happened.

James Naylor, master of the deceased, stated, that he once lived in the house occupied by the prisoner; knows the situation of the chimneys, which communicate together only a very short distance from the fire-place. A person in the chimney must have heard any breaking up of the fire.

Both the prisoners, in their defence, denied all knowledge of the deceased having been in the chimney at all; and further, that they were in bed at the time the accident happened. It is their usual custom to rake or cover up the fire, and they had done this as usual, but it had never been broken up; and they particularly requested Mr. Grace to give them notice over-night when they intended to sweep their chimney, that they might put their fire out.

The following witnesses were called on the part of the defence:—

Mr.

Mr. Edward Brook stated, that he took an inquisition upon the body of the deceased, and upon that occasion George Watson was examined before him, when he swore—"That after the deceased had fallen down the chimney, Eyre said to Benjamin Byrom, What did you mean by having such a fire in the range? and Byrom said he could not help it; and the wife called out from the chamber above, and said, they should have let us know the night before, that we might have put the fire out."

William Kershaw is a master bricklayer, and lives at Wakefield. Had occasion, in the way of his business, to be up early on the morning of the 20th of April, and having called up a person, he waited for him about twenty minutes: he was standing where he could distinctly see Byrom's door: five minutes before five o'clock he saw the sweeps come, who knocked at Grace's door, but is quite positive they did not knock or make any noise at Byrom's door; he continued there until twenty-five minutes after five, which was after the time they had gained admission into Mr. Grace's house.

The jury, after hearing the charge of the judge, instantly acquitted both the prisoners.

#### HOPS AND MALT.

An innkeeper at Manchester was last week convicted in the penalty of 200*l.* for mixing other ingredients than malt and hops in his beer, contrary to the statute; but the penalty was mitigated to 50*l.* and costs.

#### TITHES.

At the Sussex assizes, at Lewes, a cause of considerable importance to persons interested in the pay-

ment of tithes, and which excited great interest in the county, came on to be heard before the lord chief baron. It was an action brought by a farmer against the impropriator, for not taking away his tithes when set out; and the principal question was, whether the parson was bound to take the tithe-lamb when it was fit to live without the dam, whether the farmer weaned his own lambs or not? In this case, the farmer did not wean his own lambs; but, after setting out the parson's tithe, returned the nine parts to the ewes to fatten for sale. The cause being called on, and the plaintiff's counsel having stated his case, the judge recommended a reference, which was acceded to by all parties; his lordship first declaring the law of the case, namely—that the lambs are weanable when they can thrive on the same food that the dam subsists on, and that the farmer is bound to treat the parson's lamb in the same manner that he treats his own. This doctrine gives the parson the right to the tenth fattened lamb, and establishes a criterion upon the subject of tithe-lambs, which can never be productive of litigation, inasmuch as the time of titling is rendered certain, and the farmer has his option to wean his lambs or not.

#### LIVERPOOL.

Sunday evening, August 11, the bishop of Chester confirmed upwards of 2,000 boys at St. Paul's church, and near 3,000 girls at St. Peter's. Unfortunately a false alarm took place at the latter church soon after eight o'clock, which for a space of nearly two hours produced considerable agitation in the minds of a great portion of the town. For many years there has not been so great a number of children

dren collected for confirmation, and the church was of course immensely thronged: the children were pressing through the middle aisle towards the altar, when, from the heat and pressure, one of the girls fainted: the children around her, unable to render her any assistance, or to make way to carry her out, screamed aloud, and the others in different parts of the church, unacquainted with the nature of the distress, and the dreadful accident at St. Nicholas's church being still fresh in their memories, an alarm that the galleries were falling was instantly spread through the church, and the piercing shrieks of the children were re-echoed by the tumultuous anxiety of the crowd assembled in the churchyard: many of the children leaped through the lower windows into the yard, and immediately rushed towards the doors, which were absolutely blocked up by the imprudent curiosity of the people without. During the interval which took place before a free passage could be obtained through the doors, a number of the children were severely bruised, and many had their clothes nearly torn away. The active exertions of the clergy and gentlemen, at length, in some measure appeased the tumult, and quieted the fears of those around; and it is owing to their exertions alone that a much greater degree of injury was not sustained.

#### SOMERSETSHIRE.

At the Taunton assizes, Betty Townsend, aged 77, considered by the superstitious as a witch, and whose outward appearance would certainly seem to such persons an undeniable proof of their suspicions, was tried for obtaining money from a child under the following cir-

cumstances:—The prosecutor, Jacob Poole, a poor labouring man, residing in a hamlet of Taunton, in which parish the prisoner also resided, had been in the habit of sending his daughter, aged about 13, with apples in a basket to market. About Jan. 24 last, the old woman met with the little girl, and asked to see what she had in her basket; which having examined, she said to her, "Hast got any money?" The child said she had none. "Then get some for me," said the old woman, "and bring it to me at the Castle door (a tavern in Taunton), or I will kill thee!" The child, terrified to an extreme at such a threat from a witch, procured 2s. and carried it to her; when the old woman said, "'Tis a good turn thou hast got it, or else I would have made thee die by inches." This was repeated seven times within five months; when Poole (the father) going to the shop of Mr. Bruford, a druggist in Taunton, to pay a little bill which he owed for medicine, found no less than seven different charges against him for money lent; and on inquiry found that different small sums of 2s. 2s. 6d. 5s. &c. had been borrowed by the girl in her father's name, for the purpose, as she said, of going to market, but carried as a peace-offering to the old woman. The whole was now discovered; and Poole's wife and another woman took the girl with them to the prisoner's house, and interrogated her as to the facts. She admitted a knowledge of the girl, but, on being reprehended for her conduct, raved and swore that if they dared to accuse her, she would make them "die by inches."—"No," said Mrs. Poole, who appears to have thought that she knew much better how to deal with a witch

a witch than her daughter, "that thee shalt not; I'll hinder that;" and, taking a pin from her clothes, scratched the witch from her elbow to her wrist, in three places, to *draw her blood*,—a process believed to be of unfailing efficacy as an antidote to witchcraft. The idea of this wicked woman's power has had such an effect on the mind of the girl, that she is now reduced to such a state of debility as to be scarcely able to take any sustenance. The jury found the prisoner Guilty; and the judge observed, that only her extreme old age prevented him from pronouncing on her the severest sentence the law would allow. She was sentenced to pay a fine of 1*l*. and to be kept to hard labour in the house of correction for six calendar months.

#### EARL SPENCER'S GAME-KEEPER.

26. William Holt, the man who was apprehended a few days since at Farnham in Surry, on a charge of wounding William Astill, earl Spencer's game-keeper, at Wimbledon, while in the execution of his duty, underwent another examination. The evidence of the landlord where he lodged at Wandsworth was taken, who stated, that the prisoner left his house about five o'clock on the morning the game-keeper was wounded: that he filled the bottle with beer, which was found in the field of barley where the prisoner ought to have been at work; also the bag of victuals, which the landlord proved he took with him. The evidence of Mr. Shillito, of Putney, and Mr. Carlisle, the surgeon, was read. A great deal of it, we lament to say, is still conjecture, the wounded man being still speechless. It is supposed he was knocked down, and after he was down,

the conclusion is that he received two violent cuts on the left side of his head, above the ear. They were both given with so much violence, that the skull and thin skin which covers the brain were injured; the skull was so much pressed down upon the brain, that there was no doubt entertained by the surgeons but he must be suffering the most excruciating torture; and as a proof of it, when Mr. Shillito and Mr. Carlisle were performing the operation of dressing the wound, and accomplishing the arduous task of raising the indented part of the skull from the brain, it gave the unfortunate and venerable sufferer so much ease, that he shook the operator most heartily by the hand, for the relief he had afforded him, and although his tongue had not utterance, his eyes beamed thankfulness. The surgeons have some hopes of the recovery of the wounded man.—The prisoner is fully committed for trial.—He proves to be a well known poacher, and was some time since wounded in his thigh, in Richmond gardens, by one of the keepers.

31. Professor Von Feinagle, of Baden, gave in the month of June, at the Royal Institution, a public experiment of the efficacy of his *method of facilitating and assisting memory*. The managers of the institution, in consequence of the application of the committee of literature and science, granted permission for this public display of the art, without, however, making themselves in any way responsible as to its character. The exhibition took place before an assembly of several hundred ladies and gentlemen, who were astonished and delighted with the result of the experiment. Four children, two boys and

and two girls, all under 14 years of age, had been put under Mr. Feinagle's care but two or three days before: he had one of the girls but an hour and a half; and the longest tuition that any of them had received was but four hours and a half.—One of them repeated Goldsmith's Hermit backward and forward, and stated the stanza, the line, and the order of any remarkable word required of him.—One little girl answered to questions in the chronology of the Roman emperors; and another multiplied, without slate or paper, *two* sums of *eight* figures by *eight*, and declared that she had not previously been taught arithmetic.—A boy determined the geographical situation, in degrees and minutes, of fifty different cities; and on a planisphere chalked out on a board, marked down the true situation of places named to him.—Mr. Fincher, of the institution, also recited the mineralogical tables of Hauy, the second part of which he had taught himself on Mr. Feinagle's system, together with the first part of Brisson's Ornithologic System; and he declared, from his own experience, that the principles of Mr. Feinagle's art were equally calculated to give facility in the acquisition, and certainty in the retention, of the tables of any other science—a fact which was confirmed by several gentlemen present, who have attended the private courses of the professor.

31. The conference of the people called Methodists closed their sittings at Sheffield. There is an increase of 7,445 members, and the preachers and chapels have increased in proportion. The number of preachers who attended was not less than 250. Twenty-six preachers, having finished their pro-

bation of four years, were publicly received into full connexion; and the demand for preachers from different parts of the united kingdom induced the conference to admit 60 young men for trial as candidates for the ministry; a clear proof of the prodigious increase of this community.

## SEPTEMBER.

### NEWCASTLE ASSIZES.

*Grey v. Cookson and Clayton, esqrs.*

5. Mr. Park informed the jury that this was an action to recover damages for false imprisonment. The plaintiff was a very respectable woollen-draper in Newcastle; the defendants are magistrates, and men of the strictest honour and integrity, and he was extremely sorry to see that, in the present instance, they had overstepped their line of duty. In this instance they had no authority to act, and their own warrant of commitment decided the same. Mr. Grey had articleed himself to Mr. Spencer, a woollen-draper, who is now dead, and in April 1809 he left him before the time of the indenture expired; but with his master's consent. Nine months after this, his late master, Mr. Spencer, went to the two magistrates, Cookson and Clayton, complaining, not on oath, that Grey had absented himself from his service. Mr. Grey accordingly was brought before them. At this time Mr. Cookson, one of the defendants, was mayor. When in custody, Mr. Grey sent for his solicitor; but he being from home, his clerk attended for him: when he got into the mayor's chamber, Mr. Cookson said, "I want no attorneys in my chamber, I have got the act of parliament before me, and will act upon it; and if I do wrong, I am answerable for it. I will

will either commit Mr. Grey to the house of correction for one month, or he must go back to his master's service."— The young gentleman preferred the former, and he was committed. Mr. Grey moved for a writ of habeas corpus in the court of king's bench; and when the warrant of commitment was read, lord Ellenborough ordered him to be instantly discharged. Agreeably to a statute of Elizabeth, no indenture was legal for a less term than seven years. His client had suffered much on the occasion; he had been unjustly dragged from his business and friends, and confined fifteen days. The expenses incurred were also very great; he had paid the jailor who accompanied him to London, 4*l.* 10*s.* 6*d.* and 20*l.* in law expenses had already been paid, and it was from the decision of the jury that he was to receive compensation.

This case was proved in evidence. Verdict for the plaintiff 170*l.* damages, subject for leave for defendants to enter a nonsuit, should this case come within the meaning of the act passed 43*d.* Geo. III.

#### CORONER'S INQUEST.

An inquest was held by C. Jemmett, esq. coroner for the county of Surrey, at the Swan inn, Wandsworth, on Tuesday the 3*d.* inst. on the body of Mr. W. Astill, late gamekeeper to the right hon. earl Spencer, at Wimbledon-park.

Lavender, from Bow-street, produced the gun which had been taken from the deceased, and which was found in possession of William Holt, when apprehended by him and Vickery at Farnham on the 21*st.* ult.

The witnesses were re-examined, and evidence given the same as before the magistrates at the Sessions-

house, Horsemonger-lane, with the addition of that of Mr. Shillito, of Putney, one of the surgeons who attended the deceased. From the evidence of this witness, it appeared that, independent of two wounds on the left side of the head, with the skull fractured and driven upon the brain to the extent of five inches, injuring that organ and its membranes, the deceased had also received two violent blows on the lower part of the skull on the same side, and also several severe contusions on each thigh; that the deceased had been understood repeatedly to articulate, although indistinctly, that Woolzyer did it, and always pointed towards Wandsworth, as the residence of the person; that in consequence of it, a man of that name, living at Wandsworth, was brought to him: the deceased, however, gave unequivocal signs of his not being the offender, pointing at the same time to the door, and waving his hand for him to retire. The witness afterwards understood from him, and had it confirmed in three different ways, that a man who had been lodging at the Antelope, Wandsworth, was the person who had wounded him, and that he had declared to the deceased upon his coming up to him in the field, that his name was Woolzyer. It also appeared from the information this witness had been able to obtain from the deceased, that the wounds had been inflicted by his hanger, and after he had followed the man over the paling into the woody part of the park. Instead of that composure which was observed in the deceased when the real Woolzyer was brought into his presence two days before, the deceased was agitated on first seeing the prisoner Holt enter the room; and when asked



asked if he was the man who had assaulted him, he lifted up his right hand, and pointed it two or three times at him, in, as the witness thought, the most convincing manner; also gently nodding his head as a corroborative assent. The witness was of opinion, although the faculty of speech was at the time impaired, that his intellects were sound, and also when his deposition was taken by colonel Fleming, the magistrate. Several attempts had been made by the deceased to write, and which he seemed anxious to accomplish, but was unable to grasp either a pen or chalk. The jury, after an investigation of eight hours, returned a verdict of—"Wilful murder" against William Holt.

#### BENEFIT SOCIETIES.

7. A very interesting case was brought before the sitting magistrate, on Wednesday, at Hatton-Garden, by Joseph Canter, a working goldsmith and jeweller, against the Union Benefit Society, to which he had belonged for thirty-three years.—The claimant charged that his allowance, being one guinea per week, according to the articles of the said association, had been withheld from him since the 5th of June last, after he had received the same for twenty weeks, he being now at the age of 70 years, and afflicted with weakness of sight, which Dr. Clare attended to testify, to a degree wholly incapacitating him for the finer parts of the work.—The society is very rich and numerous, but principally composed of goldsmiths and jewellers, several of whom attended to give evidence of the nature of their trade, and to obtain the judgement of the magistrates upon the 8th clause of the articles, which specified that the

party claiming the allowance must be, by blindness, or other visitation, wholly unable to work in the finer or coarser branches of the trade, or in any other kind of trade or business whatsoever. On the latter words of this clause, the doubt was lately started by the treasurer and steward of the society, not with hostile views towards the committee, but to settle the point.

The magistrates, Mr. Leach and Mr. Baker, after an acute and patient discussion of the merits of this case, ruled the exception not to apply to it, but that the words of the clause were to be restricted to the trade of goldsmiths and jewellers only, and not to be extended to any other trade or business.—Judgement for the claimant.

#### SWINDLING.

12. The celebrated Richard Andrews, of first fame amongst the swindling fraternity, is again levying contributions on the unwary, after four years durance, and whose expertness in disposing of seats in parliament must be fresh in the public mind. His pal is a man of the name of Hall, about six feet high, of dark but handsome manly visage, with a stern brow, and fluent in address. Warrants for frauds, &c. have been issued from Bow-street and Marlborough-street for offences at the west end of the town, and yet they were figuring away at the Artichoke Tavern, Blackwall, a few days since, where they found some useful acquaintances in a few hours. Hall was introduced to captain Cooper, who belongs to a West Indianman, as wanting a passage to the Caraccas, and he agreed for his passage, &c. The swindlers gave expensive dinners to a number of their friends, and Hall offered to lend

lend the captain sums of money. On the Tuesday, the swindlers having got extremely well acquainted with those necessary for the purpose, ordered a turtle dinner for Thursday, and then was the time for them to make use of their new acquaintance. A third person made his appearance as a livery servant, who wanted 50*l.* of Mr. Andrews for his master.—Andrews asked Hall, in a tone of indifference, if he had 50*l.* when the latter with seeming indifference pulled out of his pocket 10*l.* when Andrews expressed he had no small notes, and Hall proffered a cheque, but Andrews observed the money was for an immediate purpose. The captain was present, and the landlord was called, who advanced 30*l.* for the servant, and Hall gave him a cheque on Biddulph, Cox, and Co. for 50*l.* observing he might keep the 20*l.* till the turtle dinner.—On Mr. Brindle, the landlord, going to the banking-house, he was told the party were noted swindlers, who had got hold of a cheque book. On Mr. Brindle's return the swindlers had fled, after borrowing some money of capt. Cooper. There are a multiplicity of other charges against them.

*Admiralty-office, Sept. 14.*

Letter from the hon. capt. Percy, of his majesty's ship Hotspur, addressed to capt. Malcolm, of the Royal Oak, and transmitted by admiral sir Roger Curtis.

*Hotspur, off Cherbourg, Sept. 9.*

Sir,—In obedience to your order of yesterday, I joined the Barbadoes and Goshawk off Calvados; and deeming the destruction of the enemy's force (consisting of seven brigs, mounting three 24-pounders and a mortar each, and manned

with 75 men) practicable, particularly as my pilot assured me that he could take the ship within pistol shot without any risk, I immediately proceeded to attack them at six *p. m.* when, within less than half-gun shot, the ship unfortunately grounded, which prevented their complete destruction: I however succeeded in sinking one, and driving two on shore. The Barbadoes had driven one on shore the day before; but having her broadside to us, she kept up as heavy a fire as the others. From the Hotspur being aground for four hours, and the whole of the enemy's fire from the brigs, battery, and field pieces being directed upon her, I am sorry to say that we have lost, in the performance of this service, two midshipmen (Messrs. W. Smith and Alex. Hay) and three seamen killed, and twenty-two seamen and marines wounded, and have also received considerable damage in our hull, mast, and rigging. Captains Rushworth and Lilburn rendered me every service in their power with boats, hawseers, &c. &c. but, from our situation, they could not succeed in drawing the enemy's fire from the Hotspur. I cannot find words sufficiently strong to express my approbation of the conduct of every officer and man in his majesty's ship under my command: their steady and active conduct, under a heavy raking fire for three hours, is deserving the highest praise. JOSCELINE PERCY.

BOMBAY.

A trial of a most extraordinary nature was lately heard in the recorder's court, Bombay. It was a suit in equity, brought by a Mr. Kitson against a Mr. Sterling, to set aside a bond for 20,000 rupees,

pees, executed by the complainant in favour of the defendant's wife; on the ground that it had been extorted by fear, and without consideration. The parties were related by marriage, having espoused two sisters, the daughters of a Mr. West. In six months after his union, the defendant Sterling, by threats and intimidation, compelled his wife to swear that Mr. Kitson had been guilty of adultery with her previous to his marriage; and by a series of the most outrageous behaviour he compelled Mr. Kitson to sign the above bond, under threats that otherwise he would make his infamy public. It was also deposed, that the defendant, who appeared to be lost to every manly feeling, had, at various times, suborned his innocent wife to swear herself an adulteress with several officers and a surgeon. After the evidence had been gone through, the recorder, sir J. Mackintosh, directed that Mrs. Sterling, whom Mr. S. retained in court under pretence of assisting him in taking notes while the evidence of her pretended prostitution was given, should come up to the bench, to ascertain if the horrible suspicions which haunted his mind were well founded. A scene of great distress here ensued—the wife screamed, and said she dared not see her mother, or speak to any one in private: at length, being assured of the kindness of her friends and the protection of the law, she acknowledged the falsehood of the charge, said her life was in danger from her husband, and was admitted to make oath to that effect. The recorder granted the prayer of the bill, with costs; and Sterling was arrested, and ordered to be imprisoned till he should give bail to keep the peace.

#### SEIZURE OF SEVEN THOUSAND GUINEAS.

20. A large quantity of gold coin, to the amount of 7000 guineas, in guineas, half-guineas, and seven-shilling-pieces, was on Saturday brought to the Mansion-house, having been seized on Friday night, at the Post-office, on the outside of the Dover mail-coach; It appeared that Mr. Lawless, an inspector belonging to the Post-office, observing some luggage on the top of the Dover coach, a thing which was not allowed, examined the same; when he found that it consisted of two deal-boxes wrapped round with a cord, and loosely covered with a great coat, without any direction written upon them. Suspecting that the boxes contained something contraband or improper, he communicated his suspicions to Mr. Knight, also belonging to the Post-office, by whom the boxes were detained, and carried into the office till a custom-house officer was sent for, to whose charge the boxes were committed, on suspicion of containing contraband property. In the mean time, Mr. Tomset, a merchant in Dover, who had been going a passenger by the coach to Dover, came to the Post-office, and demanded that the boxes should be delivered up to him, being his property. He was asked what they contained; and said that they contained cash; but declined explaining of what that cash consisted. The boxes were accordingly detained, and brought before the lord mayor on Saturday, where the parties also attended; Mr. Tomset appearing personally, and by Mr. Alley, as his counsel; and the Custom-house being represented by Mr. Peter Lock, the principal searcher

searcher to the customs, and by Mr. Knapp, their counsel.

Mr. Alley, for Mr. Tomset, submitted, that under the words of the act, no seizure, in such circumstances as the present could lawfully be made, the act ordering seizure only of such gold and silver coin as should be on board of any ship or vessel for the purpose of exportation. Here the gold was seized, not on board of any ship or vessel, but on the outside of a coach, for the purpose of being conveyed from one part of the kingdom to another: a thing which it was not, and could not be, in the contemplation of the legislature to prevent, far less to punish. Even supposing it to be the intention of the proprietor of any quantity of gold or silver coin ultimately to export it, still, till he had so far completed the offence as to have it on board a ship or vessel, the legislature had not said that he was to be subjected to the penalties of the act. Till a man had actually committed a crime, there was a possibility of his repenting, and abstaining from the completion of it; and it was not intent to commit crime, but crime itself, which the law meant to punish. This not, then, being a legal seizure, and the property having Mr. Tomset's mark upon it, at least on the bags in which it was contained, he must be entitled to bring his action of trover for recovery of it; and every person into whose hands property so circumstanced had come, and who detained it after it was claimed by the real owner, could be regarded in no other character than in that of a trespasser, and must be liable for all the damages which might ensue.

Mr. Knapp, on the part of the seizers, contended, that the act of

parliament in question authorized the seizing and detaining of all gold and silver coin, not only on board of any ship or vessel for exportation, but also of all gold and silver coin "passing, or that might pass," towards any ship or vessel for the purpose of being exported.

Mr. Lock undertook, for the greater security of Mr. Tomset, to be holder of the coin, in the mean time, till he should bring his action of trover. This proved satisfactory, and here the matter ended.

#### BUYING AND SELLING GUINEAS.

21.—John Chamberlain, the coachman of the Bath mail, was charged by George Brookwell, one of the Bow-street patrols, with having purchased from him eight guineas for nine pounds.

The informer stated, that he left London on Sunday, and went to Salisbury, at the request of Mr. Powell, the solicitor of the Mint, who had heard that the mail coachmen and guards were carrying on a considerable traffic in the purchase and selling of guineas; that Mr. Powell gave him ten guineas, which he had marked. He left Salisbury on Tuesday, and went to Devizes, where he got on the top of the Bath and Bristol mail coach. The prisoner was the coachman who drove the mail into London; the informer and he had a great deal of talk about the high price of gold; he told him he had been down to Exeter, to receive some money, and was surprised that he was paid in guineas; but he intended to make a good thing of it, as he was informed that he could get 23s. for them in London. As the mail was passing through Westminster, he pointed to a silversmith's shop, and asked the prisoner if they did not purchase guineas

neas there. He said they did not, but he would give him 1*l.* 2*s.* 6*d.* for them, and asked how many he had. The informer told him eight, and he agreed to become the purchaser, on their arrival at the Swan with two Necks in Lad-lane; at which place the prisoner desired the informer to go into the tap-room, and he would come to him with the bank-notes for the guineas. He did not like to go into the tap, as he saw one of the mail guards there who knew him, and in all probability would discover who he was. He went and procured a city constable, whom he left outside of the door, and went into the tap, on which the prisoner came up to him and gave him nine 1*l.* bank of England notes for the eight guineas. He had him immediately secured, and lodged in the Compter; where the prisoner was searched, and the guineas found upon him; they were the same that he had purchased from him, as he knew them by the mark Mr. Powell had put on them.

On his cross-examination he acknowledged that he had enticed the prisoner to purchase them, by showing them, and enticing into conversation with him on the subject. Mr. Powell, the solicitor of the Mint, proved that the guineas were the same that he had given the informer.

The solicitor who attended in the absence of Mr. Alley, who was expected to have attended as counsel, stated that he was prevented from attending on account of some prior engagements; he, the solicitor, however, conceived, that under the act of parliament the prisoner could not be committed. He requested the worthy alderman to read the act; it was what is called "Lord Stanhope's act," which passed last session of parliament, and directly

says, that any person or persons buying or selling guineas are guilty of a misdemeanour, and not a felony; there was no provision in the act for an informer, and the person who had given his evidence was equally guilty with the prisoner, and he felt confident the worthy alderman would not commit the prisoner on such evidence. Another thing to be considered was, that the prisoner might have purchased the guineas with the intention of applying for a warrant to apprehend the person who had that day given evidence against him, but he had not time. The officer who arrested the prisoner was liable to an action for false imprisonment, as also were the conductors of the Mint; as no person had a right to take another into custody without a warrant, except he had committed felony; and the act of parliament directly alleged the complaint against the prisoner to be only a misdemeanour: and if he had put an end to the existence of the constable and the informer, the law of the country would have borne him out. He was glad the prisoner had acted in a more gentle manner, for he would be the last man to encourage or approve of rioting in any shape. Under those considerations, he trusted that the complaint would be dismissed.

Mr. Powell, for the prosecution, contended, that the governors of the Mint were perfectly justifiable in what they had done; for, if they were not to employ such persons as the informer in this case, they would not be able to put an end to that kind of traffic, which was so detrimental to the country at large. He had got the opinion of the attorney-general, which stated, that he was justified in apprehending persons even on suspicion of being guilty

guilty of this traffic, and that a person had been committed by the magistrates at Bow-street for a similar offence.

The solicitor for the prisoner said, if the attorney-general had given such an opinion as that stated by Mr. Powell, he would undertake to prove that he was no lawyer.

Mr. alderman Wood observed, that he did not think the officer warranted in taking the prisoner into custody without a warrant, as the charge was only a misdemeanor, as appeared by the unaccountable act of parliament he held in his hand, which made the informer as guilty as the person accused. After taking every thing into his consideration, he did not think he should be justified in dismissing the prisoner, but would accept bail for his appearing on a future day; and would, in the intermediate time, get the opinion of the common sergeant, whether he ought to receive the evidence of a person who was by the act of parliament as culpable as the prisoner.

Two of the proprietors of the mail coaches immediately came forward and entered into security for the prisoner, who was accordingly released.

#### OLD BAILEY.

21. On Wednesday the Old Bailey sessions commenced before Mr. justice Heath, Mr. justice Bailey, the lord mayor, recorder, and city officers.

Robert Roberts was indicted for breaking out of the house of correction, Cold-bath-fields, while imprisoned there by virtue of three different warrants under the hand of Nathaniel Conant, esq. one of his majesty's justices of the peace for the county of Middlesex, and 1811.

escaping therefrom without the license of Aris, the jailor of said house of correction, to whose custody he had been committed.

Mr. Gurney, in opening the case on the part of the prosecution, stated the circumstances which were connected with the escape of Roberts, and then proceeded to observe, that being again apprehended, after some time, he had made certain very important discoveries against other persons, in consequence of which he had not himself been brought to trial for the offences on account of which he was originally committed, but was admitted an evidence, and had actually given evidence against others, who had since been convicted on his testimony, and had suffered. It was a fact universally known, that, on account of suspicions entertained by the magistrates that the prisoner could not have effected his escape without the connivance of the jailor, Mr. Aris had been removed from his situation of keeper of the house of correction. The learned counsel could not complain of this step, for undoubtedly a person in the situation of keeper of a prison ought to be above suspicion. It was for the purpose of doing justice to himself, and of showing to all the world that he had no hand in the escape of the prisoner, that the present prosecution was brought by Mr. Aris; the result of which would show, that the escape of the prisoner was not attributable in the most distant degree to negligence, far less to connivance on the part of his keeper.

Mr. Conant proved the warrants for the commitment and detention of the prisoner to have been granted by him, and to bear his signature.

Mr. Knapp, for the prisoner, (K) took

took an objection, that two at least of the warrants were on suspicion, and that as to the other the guilt of the prisoner had never been attempted to be substantiated.

Mr. Justice Bailey, who tried the case, was clearly of opinion that the guilt of the prisoner, as to some one of the offences for which he stood committed, must be proved before he could be convicted of a crime in breaking out of custody.

The jury accordingly found him Not Guilty.

#### ARSON.

27. Richard Phillips, of No. 70, High-street, Shadwell, potato-merchant, stood indicted for having on the night of the 31st of July last feloniously set fire to his dwelling-house, with intent to injure Mr. Cohen, his next neighbour. The indictment was grounded on the 43d Geo. III.

Mr. Gurney stated the case for the prosecution.—Mr. Cohen, his wife and servants, who are of the Jewish persuasion, with a number of other witnesses, stated in evidence, that between the hours of twelve and one o'clock of the night laid in the indictment a fire was discovered by the prosecutor in the prisoner's house, whereupon he first called up his servant-maid and wife on the second floor, and next his servant boy who slept in the shop, the prosecutor being a tailor and cloth-seller. After knocking at the back door of the prisoner, which communicated with the prosecutor's back yard, to alarm him, without effect, he immediately went to the front and called the watch, giving the neighbours every intimation in his power of their danger, and then proceeded to remove his own goods to his

opposite neighbour's house, while the watchmen procured the fire engine, which was contiguous, and water to extinguish the fire. The witnesses for the prosecution further stated that the prisoner was fully dressed at the time, and that when alarmed, or awaked, with much difficulty, he lifted up the window of his bed-room on the first floor, and asked what was the matter, at the time that the flooring and wainscoting, &c. of the same floor were on fire. His two children and wife were with the prisoner in the house at the time.

A quantity of turpentine chips, with a burnt rag or napkin, were found thrust into a crevice of the boards in the room where the fire broke out—and several officers and inspectors of the Fire Insurance Company stated, that in their opinion the fire was not accidental, but wilful, and that the ends of the joists of the prosecutor's first floor were on fire while the floor boards were beginning to burn; which constituted the injury complained of under the act of parliament.

Mr. Alley, for the defendant, took several legal objections to the evidence; but the recorder overruled them, stating that in the event of a conviction in this new case, he should consult superior authority before execution.

In the defence several witnesses were called, and in particular Mr. Anderson the headborough, who positively stated, that he was the first person who called to the prisoner from the street to throw out his goods, while the prisoner was with his head out of the first floor window, crying out for God's sake to have his two children saved, and for a ladder, he being dressed only in his shirt and nightcap.

Nine respectable witnesses also gave the prisoner a very good character for integrity and probity on all occasions for the last thirty years of his life.

The recorder, after a long and elaborate charge, left the case to the jury, as one of great public importance, and at the same time one of doubt and difficulty.

The jury, after a short deliberation, returned a verdict of Guilty; but recommended the prisoner to mercy, in consideration of the excellent character given him by so many respectable persons.

### OCTOBER.

4. On Monday se'nnight, while the workmen were opening some ruins in the venerable mansion of John Floyd, esq. near Redburn, they discovered below the foundation of an old wall, a leaden box, measuring three feet in length by two and a half in breadth, in perfect condition, and strongly secured by an antique kind of padlock, which was not forced but with great difficulty. When opened, it contained seventy-two copper medals, each weighing three ounces and one quarter, all in a high state of preservation. The devices on them, which are throughout the same, are, on one side, the figure of a dying warrior supported in the arms of two men in complete armour, and several others standing weeping round. In the back ground, a battle raging; the motto of *Dulce et decorum est pro patria mori* surrounding the whole. On the reverse a Roman triumph, with no less than 115 figures distinctly visible. Along with the medals were four beautiful lamps, made of a composition chiefly silver; two small daggers, most curiously wrought; five human figures in

solid gold, supposed to represent the *penates*. There was also a wooden box, contained in the leaden, 14 inches in length, and apparently solid, which when exposed to the air crumbled into dust.

### MURDER.

5. On Wednesday evening, about seven o'clock, as Mr. Wylde, a farmer, of Sunderidge-place, was returning from Croydon fair in a horse and chaise, accompanied by his son and grandson, they were stopped near the top of Westersham-hill by a single footpad, who demanded their money. Mr. Wylde replied, "My friend, you are too late, as I have paid all my money away in the purchase of some oxen at the fair." The robber presented a pistol at the time he stopped them. Mr. Wylde, however, gave him all the money he had at the time, which was only a few shillings, with which the villain expressed himself much dissatisfied; he insisted upon having more from them, and said he was sure it was not all they had got. The villain keeping his pistol presented at Mr. Wylde's head, Mr. W. turned it from his head with his whip; but while he was doing this, the robber, without any threat or notice, immediately discharged it, and the contents of it lodged in Mr. W.'s breast and head, and caused instant death. He expired in his son's arms, without a groan. There were seven slugs in the pistol; two of them lodged in his head, and five in his side and breast. Mr. W.'s son is about the age of 19, and his grandson 11 years. The murderer appeared to be of a dark complexion, flat visage, a large mouth, five feet seven or eight inches high, dressed in a short dirty smock frock and light-coloured breeches, nearly



new half-boots, about 30 years of age, and had the appearance of a farmer's servant.

#### FIRE AT GREENWICH HOSPITAL.

7. The town was on Tuesday thrown into considerable alarm by the report of a conflagration in Greenwich hospital; and we were afraid that we should have to record the destruction of that magnificent building, so much the boast of this, as it is the admiration of every other country. It turns out, however, that the fire began in and consumed only the infirmary, and that the hospital itself was entirely out of danger. The infirmary was a large square building, the sides of which contained three different tiers of wards or corridors, besides the residences, in the rear, of the physician and surgeon. The roof was very thickly covered with lead, and the bedsteads through the whole of the house were of iron. The fire, which it appears was quite accidental, began about one o'clock on Tuesday morning, in the north-west corner of the upper corridor, in one of the rooms belonging to the assistant-surgeon. The apartment where it began had been for some time uninhabited; and there being no stove in the fire-place, a fire was made on the hearth to render the place dry and habitable. Through some interstices near the hearth the fire penetrated, and before the least notice could be taken of it by the assistant-surgeon, the beams underneath the floor were burning most intensely. The alarm was then immediately given, and nothing could exceed in terror the cries and groans of the sick within, mingled with the tumult and shouting of the crowd without. The first care of those who had assembled to lend their assistance was

the removal of the sick; and we are happy to state, that every person in the infirmary was brought out in safety. This was, however, a very perilous effort, as the roof had then begun to burn, and the lead, as it melted, poured down the partitions. From the attic story the flames continued to make a rapid and destructive progress downwards, and at three o'clock, when the engines arrived, the whole building, with the exception of the eastern wing and the houses of the physician and surgeon, was one entire furnace. The iron bedsteads, red hot with the surrounding fire, gave a kind of deepened colour to the flame, which threw a steady equal light over the whole horizon. The illuminated appearance of the neighbouring extensive buildings, the reflected glare from the Thames, the range of shipping rendered visible to an immense distance by the brilliant element, were the most sublimely picturesque; while the dangerous situation of those who assisted in extinguishing the fire, and the wretched appearance of the poor veterans who had just escaped its fury, must have had the interest of real tragedy, and excited every emotion of terror and pity. The fire was got under about nine o'clock.

#### CURIOUS INSTANCE OF FANATICISM.

18. At the quarter sessions for the borough of Leeds, on Monday se'nnight,

John Burnley, weaver, of Beeston, was brought before the court on a charge of deserting his family and leaving them chargeable to the township. When he was placed at the bar, he was interrogated in the following terms:—

Court.—What reason have you to assign for deserting your family, and

and leaving them chargeable to the township?

Prisoner.—I was called by the word of God so to do.

Court.—Where have you lived since; and what have you done?

Prisoner.—I have lived at Potovens, near Wakefield; and have worked at my business as a weaver.

Court.—What can you earn a week, upon an average?

Prisoner.—From 18 to 20 shillings per week.

Court.—And how do you dispose of it?

Prisoner.—After supplying my own necessities, I distribute the rest among my poor neighbours.

Court.—But should not your wife and children be the first objects of your care and bounty?

Prisoner.—No; unless they are in greater distress than all others.

Court.—The Scripture, which you profess to follow, says, speaking of the relation of man and wife, that they shall be one flesh: of course you are under as great an obligation to maintain her as yourself.

Prisoner.—The Scripture saith, Whom God hath joined together let no man put asunder; but God never joined me and my wife together.

Court.—Who, then, did?

Prisoner.—I have told you who did not: you may easily judge who did.

Court.—We suppose you are as much joined together as any other married people are.

Prisoner.—My family are now no more to me than any other persons.

Court.—The laws of your country require that you should maintain your family: and if you neglect or refuse to do it, you become liable to a serious punishment.

Prisoner.—I am willing to suf-

fer all you think proper to inflict: I expect to suffer persecution; for the Scripture says, Those that will live godly in Christ Jesus must endure persecution. I regard the laws of God, only, and do not regard any other laws.

Court.—You seem to have read the Scriptures to very little profit, or you would not have failed in so plain a duty as that of providing for your own household.

Prisoner.—The Scripture commands me to love my neighbour as myself; and I cannot do that, if I suffer him to want when I have the power to relieve him. My wife and children have all changes of raiment; but I see many others that are half naked. Should I not, therefore, clothe these rather than expend my money on my family?

Court.—But your family cannot live upon their raiment; they require also victuals.

Prisoner.—They are able to provide for their own maintenance; and the Gospel requires me to forsake father and mother, wife and children. Indeed, it was contrary to the Gospel for me to take a wife; and I sinned in so doing.

Court.—Have you any friends here?

Prisoner.—I have only one friend, who is above.

Court.—Is there any person here who knows you?

Prisoner.—Mr. Banks knows me.

Mr. Banks, being called upon, stated, that he should suppose, from the recent conduct of the prisoner, that his mind was not in a sane state. Formerly he was an industrious man; of late, he understood that he had read the Bible with uncommon assiduity and fervency. He would absent himself whole days together, and retire into woods and fields, for the purpose of reading it.

it. After some time spent in this manner, he went away from his family, and refused to contribute to their support. His family contrived to carry on the business, and he bought of them what pieces they made. He understood that what the prisoner had said of giving away his earnings to objects of distress, was correct.

The court made another attempt to convince this deluded man of the impropriety of his conduct, but without the least effect: he replied to all their reasonings by quoting perverted texts of Scripture. Nor would he even promise to permit his employer to pay to his family the small sum of five shillings weekly. He dared not, he said, make any promises or engagements of any kind. Nor was the attempt to work upon his feelings more successful; his fanaticism had, apparently, rooted from his heart all the tender charities of domestic life. When it was intimated to him that one of his children was in a decline, he seemed perfectly unmoved; nor did the tears of his wife, who implored him only to assist in paying some debts before he went away, in the least affect him. He coldly replied, that the landlord might distress for the rent.

The court asked some questions of the overseers as to the affairs of the family, the answers to which the writer of this did not hear; but they confirmed what Mr. Banks had said as to the manner in which he disposed of his surplus earnings; and expressed an opinion that no benefit was likely to result from sending him again to the house of correction. After some consultation with the bench, the recorder addressed him to the following effect:—

“John Burnley, the court are dis-

posed to deal leniently with you, in hopes that better consideration will remove the delusion you labour under. For this purpose I would advise you to read your Bible with still greater attention, and ask the advice of some intelligent friends, particularly the minister you attend upon. I would also beg of you seriously to consider that all the rest of the world think it their duty to provide, in the first place, for their families; and you surely cannot suppose that they are all neglecting the care of their souls, and in the road to eternal destruction. This consideration should induce you to distrust your own judgement; and if you have any humility,—and humility is a christian virtue,—you would conclude, that it is more probable that you should be mistaken, than that all the rest of mankind should be wrong. Your wife has already expressed her wish that no severity should be used towards you. Influenced by these considerations, the court has ordered that you should be discharged.”

Prisoner.—The Scripture saith, that darkness covers the earth, and gross darkness the people. And again, in another place, that the whole world lieth in wickedness. I know that the way of duty is in the path of suffering; but it is the path which our leader trod, and we must follow his steps.

#### EXTRAORDINARY ROBBERY AT PORTSMOUTH.

18. The following are ample and well authenticated particulars of the late robbery at Portsmouth:—

On Sunday se'night the hon. Mr. Crofton, the person accused, who had lodged at the Crown inn at Portsmouth for about a fortnight previous to his sailing for India,

India, where he was going as aide-de-camp to a general, joined the company of Bradbury, the celebrated clown, who had lately arrived at Portsmouth from Plymouth, and two gentlemen, at supper in the coffee-room. Bradbury had a curious and valuable snuff-box, made in the shape of a large hunting-watch, which he is not a little proud of, and always takes care to sport in company; and his vanity is not a little flattered by strangers noticing and admiring it. —He accordingly handed it round to this party, by whom it was, as usual, admired. Mr. C. particularly noticed it. They broke up about twelve o'clock; when Bradbury left the house, and went to the Blue Posts inn, where he lodged. In a short time after, he missed his box, and went back to the Crown to inquire for it. He saw the porter, who told him he had not heard of such an article being found; and also that all the gentlemen with whom he had supped were gone to bed. Bradbury then left the house, but in the morning returned again to the inn to recover his box. In his way he met Mr. C. to whom he communicated his loss. Mr. C. denied any knowledge of it; and at the same time informed Bradbury, as an extraordinary circumstance, that his bedroom had been robbed of his gold watch, chain, and seals, in the course of the night; and he was then on his way to a Jew's, a silversmith and watch-maker, to desire him, in case such articles were offered him for sale, to stop the person, and give notice to him. Bradbury was much astonished at this account, and now first began to entertain fears for his box, having hitherto concluded that he had either left it on the supper-table,

or that some of the gentlemen had put it into their pocket out of a frolic. However, when he got to the Crown inn, the gentlemen he had supped with pledged their honour they did not know any thing of the box; the same pledge was given by Mr. C. when he met him. All the servants declared most solemnly they had not seen it. As soon as the inquiry had finished, it was discovered that lieutenant Lloyd's room had been robbed of bank-notes to the amount of 32*l.*, lieutenant Prowis, of his majesty's ship *Hamadryad*, of a gold watch chain and two gold seals; the purser of the *Regulus*, of a silver watch, gold chains, and two gold seals. All these gentlemen's rooms were on the ground-floor, where Mr. C.'s room was. These discoveries excited considerable alarm throughout the house, and in some degree in the town. A proposition was made for the parties to stand search; but the purser of the *Regulus* declared, that no man should search him or his trunks: in consequence, no search took place. Mr. C. took advantage of this, and had the audacity to charge the purser, in the public coffee-room, with being the robber. The purser repented of his refusal to be searched, but accounted for it at the moment, feeling extremely indignant at being robbed of his property, and yet suspected of being the robber. Printed bills were issued, offering rewards for the recovery of the property and the detection of the thieves. Mr. C. was the most violent about the loss of his watch, insinuating suspicions against respectable characters. Nothing being discovered during that day, on the Tuesday, Mr. Hanmer, the landlord of the Crown inn, hearing that Mr. Graham, the magistrate

belonging to the public-office, Bow-street, was in the town, applied to him; who wrote off for Rivett the officer to come down. The officer arrived there on Thursday morning, and met Bradbury at the door of the Crown inn. Rivett proceeded into the bar with Bradbury to Mr. Hanmer, the landlord, when Rivett was put in full possession of every particular respecting the business; Bradbury expressing his suspicion of Mr. C. At that instant they saw Mr. C. walking in the street, and called him in. The landlord introduced Rivett to him, and told him the officer was come to investigate the alarming robberies that had been committed in his house. Mr. C., however, knew Rivett had been sent for; therefore expressed no surprise; but on the contrary appeared glad to see him, and hoped he would be able to detect the thief, and recover for him his valuable watch. Rivett proposed that he should search the trunks and the house generally; which was agreed to most cordially by all. The officer then observed, that as Mr. C. appeared to be going further in a hurry, he would begin with him first, which would prevent his being detained; which Mr. C. assented to without any hesitation, and instantly delivered up the keys of his trunks and boxes, which he was going to take with him to India. He accompanied the officers to his room, Bradbury and others being admitted as spectators. Rivett made a particular search, without being able to find any thing of a suspicious nature; he then addressed Mr. C. in a respectful manner, observing that the most unpleasant part of his duty to be performed was to search his person. Till this Mr. C. had appeared as unconcerned and in as high spirits

as any other person; he then, however, appeared much confused, and changed colour. Rivett was proceeding to search him, as a matter of course; when he requested that every body would leave the room except the officer and Bradbury; which request was complied with. He then slipped Bradbury's box into his hand, asking forgiveness, begging him to spare his life, and went down on his knees and entreated mercy: this was all done in an instant. Rivett did not allow Bradbury to keep his box; called Mr. C. the thief, and proceeded to search him by force, and found the whole of the property that had been stolen in the house. Rivett not conceiving he had got the whole of the bank-notes, asked him where the remainder was; when he pointed to a pocket-book which was under the foot of the bed; and while Rivett loosed him, and was in the act of stooping down to pick it up, Mr. C. caught up a penknife, and was detected in the act of cutting his throat with as much force as could be used with such an instrument. Rivett and Bradbury seized an arm each, and forced the knife from him; but he appeared so determined on his own destruction that he twisted his head about in different ways to make the wound larger. He bled most profusely; when a shirt and other linen were applied to stop the bleeding. An alarm was given, and there were about a dozen navy surgeons in the course of a few minutes in the room, who, after taking a slight view of the wound, said the jugular vein was cut, and he would die in a short time. This, however, proved to be an erroneous opinion. To prevent Mr. C. from making the wound larger by twisting his head about; he was braced up with linen

linen round his neck so tight, that he could not move it. A surgeon of the town, with two assistants, came afterwards; and after seeing the wound, gave it as their opinion, it was possible for him to recover; and by the assistance of some powerful soldiers holding him, they dressed the wound. His clothes were then cut off, and he was carried down stairs into a larger room. During this operation he coughed violently, but whether naturally, or by design to make his wound worse, was not ascertained: however, it had the effect of setting it bleeding again, and the dressing was obliged to be repeated.

On Friday morning, the depositions of the witnesses were taken before the mayor, and Mr. C. was committed.

### NOVEMBER.

1. Some few months since a number of human skeletons, the remains of Roman soldiers, were discovered on opening a barrow in the neighbourhood of Boroughbridge in Yorkshire; but what is most worthy of remark is, that between the front teeth of the skull of one of them was found, securely wedged, a mixed metal coin of the reign of Domitian; which led a facetious rustic present to observe, that the fellow must be over greedy of money to have kept such fast hold of it for such a length of time. The coin was in good preservation, and probably owed its situation to the rude raillery of one of the deceased's comrades.

2. Last night the quantity of rain which fell in Edinburgh was immense. The meadows next morning presented almost a complete sheet of water. Owing to the high tides and great fresh in the harbour of Leith, several houses

on the shore were under water. The river Esk rose to a greater height than ever remembered; and a number of articles were carried by the force of the water into the sea at Musselburgh. The late high tides have done considerable injury to North Berwick harbour, and to several other places on both sides of the Forth. In the south of Scotland the rains have also been excessive; and in the low part of the town of Dumfries several houses have been inundated. At the isle near Dalswinton, a farmer lost fifty sheep. The Clyde, near its source, it is said, flowed into the Tweed; and both rivers have overflowed their banks to a greater extent than has been known for thirty years back.

### DRURY-LANE THEATRE.

The committee for rebuilding this theatre having completed their arrangements, Mr. Whitbread, their chairman, waited upon the prince regent at Carleton House, and laid their final resolutions and plan before his royal highness, which were honoured with his warmest approbation. The sum required, and already subscribed, is 400,000*l.* out of which 40,000*l.* is made applicable to the purchase of the old patent interest, viz. 20,000*l.* to Mr. Sheridan, who resigns all interest whatever in the property; and the other 20,000*l.* in equal portions between Mrs. Linley, Mrs. Richardson, and Mr. T. Sheridan. The old renters, and other creditors, accept of 25 per cent. in full of their respective demands; and the duke of Bedford absolves the property of his claim, amounting to 12,000*l.* The remainder of the sum subscribed is deemed competent to the completion of the work. The committee have

have decided in favour of the plan of Mr. Benjamin Wyatt, who is appointed architect; and have entered into a contract with Mr. Rowles, builder, who has displayed his ability in the erection of a new Mint and other public structures. He has engaged, under a bond of 20,000*l.* to perfect the theatre on or before Oct. 1, 1812, at an estimate of 112,500*l.*

## FRANCE.

Bonaparte, after an absence of about two months, returned to Paris on the 14th ult.

Some late Danish papers contained an oppressing regulation published at Hamburgh, relative to the French maritime conscription in the Hanscatic departments. From its comprehensive nature it is clear that Bonaparte is determined to man his fleet; and the apparent energy of his measures would create much alarm, could it be believed that these men, dragged into a service they hate, can ever be brought to exert themselves greatly in fighting for foreign interests. The fourth article of the regulation renders liable to this maritime conscription, every citizen of 18 years of age and upwards; who shall have performed two long voyages, or to the grand fishery—have been at sea 18 months—have been employed in the coasting fishery two years—have served two years apprenticeship to the sea. In order that none may escape, the regulation includes not only sailors, but all watermen, fishermen, and canal or river navigators.

Letters received from the British prisoners in France give the following as the average price of provisions at the dépôts: Veal and mutton 3½*d.* per pound; beef 2½*d.*;

two fowls: 1*s.* 10*d.*; two ducks 1*s.* 2*d.*; eggs 2½*d.* per doz.; bread 2*d.* per pound; butter 8*d.*; cheese 4*d.*; and milk a halfpenny per quart.

8. A few months since, a man who was employed in getting stone out of a quarry at Cleeve Prior, near Evesham, discovered two large earthen pots, which on examination he found contained a quantity of coin. He was of course greatly overjoyed at the discovery; but, having got possession of the idea that the lord of the manor would lay claim to the treasure, he refused to tell the quantity of pieces he had found: however, he has sold a few, which are in the hands of some gentlemen of Evesham and the neighbourhood. They prove to be gold and silver coins of several Roman emperors. The gold coins are of the emperor Valerian, one of the Valentinians, Gratian, and Theodosius. It is scarcely possible to imagine their excellent state of preservation; they appear as if they had just been issued from the mint; not the minutest mark being obliterated, though from 14 to 1500 years have elapsed since they were coined; and, what is very interesting to the antiquarian, counterfeits were discovered among them; executed in a most excellent manner, being copper plated with gold. The silver coins are those of Constantius, Julian, Valentinian, Gratian, and Theodosius: these were not in so good a state of preservation as the gold. The execution of these coins is of course not very good; the art of cutting the dies being at that period very much on the decline. The man has acknowledged that he found 100 of the gold ones; the silver ones must probably greatly exceed that number.

The

4. The following is a particular account of the circumstances attending the murder of Mr. Snell, of Bovey:—On Tuesday last, six French officers, who were on their parole at Okehampton, escaped from that town, accompanied by an English guide. Having crossed Dartmoor, on Thursday afternoon, they came near Bovey Tracey, where meeting with a woman, they inquired if there was any other road than through the town: being answered in the negative, they made a halt. The woman communicated the particulars to some of the towns-people, and four men went in pursuit of them: when they were discovered, three of them surrendered and were secured: but the other three, with the guide, made off, and were followed by two of the men. The first that came up with them was Mr. Christopher Snell; when the guide instantly turning round, with a dagger stabbed him to the heart, and he expired on the spot. Lord Clifford soon after ordered a troop of yeomanry cavalry to go in pursuit of them. The three who surrendered were examined by the rev. Mr. Barrington, a justice of the peace at Chudleigh, and committed to Devon county gaol. On Sunday night another prisoner was brought in, and after an examination before a magistrate, on Monday morning, was committed to prison. The same evening a fifth was taken at Benbury, and brought to Exeter; and since which, we understand, the sixth has been apprehended; so that the guide only has evaded his pursuers. A coroner's inquest sat on the body of Mr. Snell, and brought in a verdict of Wilful murder against the guide and the three Frenchmen who accompanied him.

6. An account of the reduction of the national debt, from August 1, 1786, to Nov. 1, 1811:—

Redeemed by the sinking fund .....	£184,503,382
Transferred by land tax redeemed .....	23,874,262
Ditto by life annuities purchased .....	1,536,682

On account of Great

Britain .....	209,914,326
Ditto of Ireland ....	8,735,659
Ditto of Imperial loan ..	1,219,518
Ditto of loan to Portugal .....	92,534

Total ..... £219,962,037

The sum to be expended in the ensuing quarter is 3,415,531*l.* 6*s.* 1*d.*

The commissioners for liquidating the national debt laid out 75,260*l.* 16*s.* 10*d.* this day, which they will repeat every transfer day this quarter, in the purchase of consols or reduced. At the present price, the purchase will be about 117,000*l.* stock per day.

8. On Saturday se'nnight, John and Robert, sons of Andrew Bell, slater, in Pitcairn-green, in the vicinity of Perth, the former 12, and the latter 9 years of age, not adverting to the rise of the Almond, attempted, according to their daily custom, to lord it immediately above the mill-dam, at Cromwell-park. The younger of the two beginning to give way, his brother laid hold of him, and did not quit his grasp till both were swept over the dam, where the water has a perpendicular fall of twelve feet, and were precipitated to the bottom of the pool below. The rebound of the water having thrown the eldest boy to the surface, he clung to some projecting timbers of the dam; and though stunned by the fall, and still



still in doubt of life, his first thought was about his brother, whose head, as he looked earnestly round, he observed in the centre of the pool. This made him venture his life a second time, and plunging in (for he swam well) he succeeded in drawing the little boy to the bank, though apparently lifeless. He then ran, having first laid his brother in a proper position, to the nearest house for help; and as this was at some distance, before his return the boy had revived, and soon recovered. Such an instance of resolution, affection and judgement, in one so young, deserves to be recorded.

13. A ball was given by the duchess of York at Oatlands, for the purpose of introducing the princess Charlotte into company. The prince led off the dance, and chose his daughter for his partner; and whilst leading her briskly along, his right foot came in contact with the leg of a sofa, which gave the limb a twist, by which two tendons of his foot were broken. His royal highness took but little notice of it that night; but in the morning he found it so much worse, as to be obliged to resort to the assistance of surgeons.

#### ASIA.

16. The American journals of the 4th ult. communicate that a dreadful hurricane was experienced at Madras in May. The storm, which blew directly from the east, appeared to have reached its greatest force at eleven at night. Trees were in every direction torn up by the roots; the doors facing that quarter were literally, with hinges, bolts, &c. attached, blown into the houses, both in the Fort, Black Town, and the gardens on the plain, the Mount Vepery, St. Thome, and the adjacent villages. The

ships at anchor in Madras roads were mostly driven on shore, and lost.

21. A person viewing the menagerie at the Tower imprudently touched the paw of one of the tigers, which seized his arm with his mouth, and drew him close to the den, notwithstanding the assistance of two or three other men. He was at length liberated from the tiger by a person's forcing a stick down the animal's throat. His arm was dreadfully lacerated.

The prince regent has been pleased to command that, in commemoration of the brilliant victory obtained over the enemy by the division under lieut.-gen. Graham, at Barrosa, the several general officers, commanding officers of corps and detachments, and chiefs of military departments, present on that occasion, should enjoy the privilege of bearing a medal; which has been struck, and approved of by the prince.

A society has been established in the metropolis, with the approbation of the prince regent, entitled "The national society for promoting the education of the poor in the principles of the established church, throughout England and Wales." The archbishop of Canterbury, president; the archbishop of York, the bishops of both provinces, and ten temporal peers or privy counsellors, vice-presidents. A committee of sixteen (in addition to the president and vice-presidents, who are members *ex officio*) direct the affairs of the society. The system of education practised by Dr. Bell, at Madras, will be adopted in the schools of the national society. So zealous are the friends of the church in offering their support to this society, that the universities of Oxford and Cambridge have each

each voted 500*l.* from the public chest.

DUBLIN,

21. The trial of Dr. Sheridan came on this day in the court of king's bench. The attorney-general, in a long speech, remarked upon the tenour and tendency of the resolutions of the aggregate meeting of catholics 9th July last, of which Dr. Sheridan was the chairman; and after explaining the intent of the convention act, concluded by showing the applicability of its provisions to the case of the traverser, Dr. S.—Shepherd and Macdonald, officers sent by the magistrates to attend the meeting, were severally examined. The former stated the two first resolutions passed at the meeting, and that he took minutes of them at the time, and made a written report; both which were afterwards delivered to the magistrates, and which he had again seen ten days before the trial. The latter had also taken minutes, which had been delivered to the magistrates. But neither of these witnesses could swear to the exact terms of the second resolution, which was said to appoint five persons as representatives. Captain Huddleston, late of the 46th regt. an English gentleman, was next examined; and detailed the resolutions of the meeting of July 9 last, which, he admitted, were in writing; but it was insisted, that, being in writing, parole evidence could not in the first instance be entertained of their nature; and that the crown must previously show that it was impossible to produce the written resolutions; and that Mr. Hay, the secretary of the catholics, ought to have been summoned to produce these resolutions. He then detailed the proceedings of the general committee

of the 9th July, upon the relevancy of which to the prosecution the court postponed their opinion. The court adjourned till next day; when Dr. Sheridan was acquitted, and the acquittal was received with loud and continued acclamations.

An act of parliament, passed during the late session, empowers the incumbent of any living to borrow at 4 per cent. of commissioners appointed for that purpose, twice the amount of the next annual income of his living, for the purpose of improving or building a new parsonage house. This sum, however, is to be paid by instalments in 20 years. Should the incumbent die before the whole is paid off, his successor is bound to discharge what remains. Government have advanced 50,000*l.* expressly for the purpose of making these loans, which will not affect Queen Anne's bounty. All applications are to be made through the diocesan.

24. On Friday a committee of the privy council met at the council office, Whitehall, for the purpose of examining the witnesses against the persons who were brought from on board the tender on Thursday, and committed to Newgate that night, on a charge of having been found in the service of the enemy when the Isle of France was captured. The privy counsellors present were the lord president, Mr. Ryder, Mr. Yorke, earl of Liverpool, viscount Melville, sir Wm. Wynne, the chief baron, sir Wm. Scott, the master of the rolls, sir James Mansfield, &c. The attorney and solicitor generals attended. After some deliberations the investigation of the charges was not gone into. These men are said to be Irishmen. They are all athletic, good-looking young men.

men. Some of them, it is said, held the rank of petty officers in the service of the enemy. One of them is so powerful that he was able to wrench the handcuffs from his wrists, a few days ago, when in confinement on board one of our prison ships. They were handcuffed in pairs, and were attended by twelve police officers. These men seemed to be in very good spirits, and not at all affected by their alarming situation.

26. The foreign papers have, for sometime past, spoken much of the invention of a watchmaker at Vienna, who had announced his intention of flying from that city by the aid of a piece of mechanism, which he had constructed in the form of a pair of wings, and by which he pretended he could direct his course in the air. An article from Vienna states, that he made his ascent on the 15th of October from that city; he reached an extraordinary height, and night coming on was soon out of sight. He safely alighted in the evening near Trautmansdorf, in the district of Brak, on the Leythe.

#### ITALY.

28. Accounts have been received from Mr. C. R. Cockerell, at Athens, of a recent discovery in the Isle of Egina, when excavating the earth to ascertain the Hypæthral in the ancient temple of Jupiter Panhellenius, consisting of a great number of fragments of Parian marble of the most beautiful sculpture, the parts of which nearly complete sixteen statues between five and six feet in height, many of them in powerful action, and described as not inferior to the celebrated sculptures of the Elgin collection. It is singular, that no traveller who has preceded Mr. C. for

a thousand years past, should have dug three feet deep, as most of these have been found thus near the surface.

A dreadful explosion took place on Wednesday morning about eleven o'clock, at the powder-mills at Waltham Abbey. The concussion was distinctly felt in and round the metropolis, particularly in several parts of the city, and more sensibly in Southwark, at Stepney, Hackney, Blackwall, and Blackheath. At Stepney we understand that a mirror of plate-glass was broken by the shock; at Hackney several panes of glass were forced in, and at Blackwall the windows throughout a whole street were shattered. Near the New-road, Mary-le-bone, several of the houses were much shaken, and the labourers who were excavating in Mary-le-bone Park felt the ground shake where they were at work. About eight persons are stated to have been killed at Waltham Abbey, and much mischief done by the explosion.

30. A violent shock or concussion of the earth was felt this morning, between two and three o'clock, in Portsmouth and the neighbouring towns. It commenced by a smart shock, which is described by the persons who felt it as very alarming; in many instances, the whole furniture of the rooms shook, and the handles of the drawers rattled against the wood: the bed of a workman, in the water works, was moved four inches from the wall. The shock was followed by a deep rumbling noise, like that of a waggon passing over the street, and immediately after by a flash of lightning. It was distinctly perceived in Portsmouth, Isle of Wight, at Havant, Emsworth, Chichester, Petworth, and

and Bagnor. The general conjecture is, that an earthquake must have happened in some distant spot. At the time of the great earthquake at Lisbon, the concussion was visibly felt there, and one of the gates of the dock-yard burst open.

### DECEMBER.

LONDON GAZETTE EXTRAORDINARY.

*Downing-street, Dec. 1.*

Captain Hill, aide-de camp to Lieut.-gen. Hill, arrived this day at the earl of Liverpool's office, with a dispatch, addressed to his lordship by gen. viscount Wellington, dated Freneda, Nov. 6, of which the following is an extract.

I informed your lordship in my dispatches of the 28d and 30th of Oct. of the orders which I had given to lieut.-gen. Hill to move into Estremadura with the troops under his command, and with his progress to the 26th October. He marched on the 27th by Aldea del Cano to Alcuesca; and on the 28th, in the morning, surprised the enemy's troops, under gen. Girard, at Arroyo del Molino, and dispersed the division of infantry and the cavalry which had been employed under the command of that general, taking gen. Brune and the duc d'Arenberg, and about one thousand three hundred prisoners, three pieces of cannon, &c. &c. and having killed many in the action with the enemy, and in the subsequent pursuit. General Girard escaped wounded; and by all accounts which I have received, general Dubrocowski was killed. [His lordship concludes with high commendations of the zeal and ability of lieut.-gen. Hill, with the gallantry and discipline of the officers and troops, and recommending capt. Hill, the general's brother, to lord Liverpool's protection.]

*Merida, Oct. 30.*

My lord, In pursuance of the instructions which I received from your lordship, I put a portion of the troops under my orders in motion on the 22d inst. from their cantonments in the neighbourhood of Portalegre, and advanced with them towards the Spanish frontier. [The general proceeds to state, that on the 23d the head of the column reached Albuquerque; on the 24th, Aliseda; on the 25th, the conde de Penne Villamur made a reconnoissance with his cavalry, and drove the enemy from Arroyo del Puercos; on the 26th the troops arrived at Malpartida, which place the enemy had left for Caceres, followed by the 2d hussars, who skirmished with his rear-guard. On the 27th, gen. Hill learning on his march to Torre Mocha, that the enemy had quitted that place, and halted his main body at Arroyo del Molino, leaving a rear guard at Albala, being quite ignorant of the near approach of the allies, he made a forced march to Alcuesca, where the troops were placed, so as to be out of sight of the enemy, and no fires were allowed to be made. The general had previously determined to surprise or to bring him to action. The account then proceeds]:—The troops moved from their bivouac near Alcuesca, about two o'clock in the morning of the 28th, in one column right in front, direct on Arroyo del Molino.

As the day dawned, a violent storm of rain and thick mist came on, under cover of which the columns advanced in the direction and in the order which had been pointed out to them. The left column under the command of lieut.-col. Stewart marched direct upon the town; the 71st, one company

company of the 60th, and the 92d regiment at quarter distance; and the 50th in close column, somewhat in the rear, with the guns as a reserve. The right column under maj.-gen. Howard, having the 39th regiment as a reserve, broke off to the right, so as to turn the enemy's left; and, having gained about the distance of a cannon shot to that flank, it marched in a circular direction upon the further point of the crescent on the mountain above mentioned. The cavalry, under lieut.-gen. sir W. Erskine, moved between the two columns of infantry, ready to act in front, or move round either of them, as occasion might require. The advance of our columns was unperceived by the enemy until they approached very near, at which moment he was filing out of the town upon the Merida road; the rear of his column, some of his cavalry, and part of his baggage, being still in it; one brigade of his infantry had marched for Medellin an hour before day-light. The 71st and 92d regiments charged into the town with cheers, and drove the enemy every where at the point of the bayonet, having a few of their men cut down by the enemy's cavalry. The enemy's infantry which had got out of the town had, by the time these regiments got to the extremity of it, formed into two squares, with the cavalry on their left; the whole were posted between the Merida and Medellin roads, fronting Alcuesca; the right square being formed within half musket shot of the town, the garden-walls of which were promptly lined by the 71st light infantry, while the 92d regiment filed out and formed line on their right, perpendicular to the enemy's right flank, which was much annoyed

by the well-directed fire of the 71st. In the mean time one wing of the 50th regiment occupied the town, and secured the prisoners; and the other wing, along with the three six-pounders, skirted the outside of it; the artillery, as soon as within range, firing with great effect upon the squares.

Whilst the enemy was thus occupied on his right, maj.-gen. Howard's column continued moving round his left; and our cavalry advancing, and crossing the head of their column, cut off the enemy's cavalry from his infantry, charged it repeatedly, and put it to the rout. The 13th light dragoons at the same time took possession of the enemy's artillery. One of the charges made by the two squadrons of the 2d hussars, and one of the 9th light dragoons, were particularly gallant; the latter commanded by capt. Gore, the whole under major Bussche of the hussars. I ought previously to have mentioned, that the British cavalry having, through the darkness of the night and the badness of the road, been somewhat delayed, the Spanish cavalry, under the count de Penne Villamur, was, on this occasion, the first to form upon the plain, and engaged the enemy until the British were enabled to come up. The enemy was now in full retreat; but maj.-gen. Howard's column having gained the point to which it was directed, and the left column gaining fast upon him, he had no resource but to surrender, or disperse and ascend the mountain. He preferred the latter, and ascending near the eastern extremity of the ascent, and which might have been deemed inaccessible, was followed closely by the 28th and 34th regiments; whilst the 39th regiment

and

and col. Ashworth's Portuguese infantry, followed round the foot of the mountain, by the Truxillo road, to take him again in flank. At the same time brig.-gen. Morillo's infantry ascended to the left with the same view. As may be imagined, the enemy's troops were by this time in the utmost panic; his cavalry was flying in every direction, the infantry threw away their arms, and the only effort of either was to escape. The troops under maj.-gen. Howard's command, as well as those he had sent round the point of the mountain, pursued them over the rocks, making prisoners at every step, until his own men became so exhausted and few in number, that it was necessary for him to halt and secure the prisoners, and leave the further pursuit to the Spanish infantry under gen. Morillo; who, from the direction in which they had ascended, had now become the most advanced; the force gen. Girard had with him at the commencement, which consisted of 2500 infantry and 600 cavalry, being at this time totally dispersed. In the course of these operations, brig.-gen. Campbell's brigade of Portuguese infantry (the 4th and 10 regiments) and the 18th Portuguese infantry joined from Casa de Don Antonio, where they had halted for the preceding night; and as soon as I judged they could no longer be required at the scene of action, I detached them with the brigade, consisting of the 50th, 71st, and 92d regiments, and maj.-gen. Long's brigade of cavalry, towards Merida. They reached St. Pedro that night, and entered Merida this morning; the enemy having, in the course of the night, retreated from hence in great alarm to Al-mendralego. The count de Penne

1811.

Villamur formed the advanced guard with his cavalry, and had entered the town previous to the arrival of the British.

The ultimate consequences of these operations I need not point out to your lordship; their immediate result is the capture of one general of cavalry (Brune), one colonel of cavalry (the prince d'Aremberg), one lieutenant-colonel (chief of the *etat-major*), one aide-de-camp of gen. Girard, two lieutenant-colonels, one commissaire de guerre, 30 captains and inferior officers, and upwards of 1000 of non-commissioned officers and soldiers, already sent off under an escort to Portalegre: the whole of the enemy's artillery, baggage, and commissariat, some magazines of corn, which he had collected at Caceres and Merida, and the contribution of money which he had levied on the former town, besides the total dispersion of gen. Girard's corps. The loss of the enemy in killed must also have been severe, while that on our side was comparatively trifling, as appears by the accompanying return, in which your lordship will lament to see the name of lieutenant. Strénuwitz, aide-de-camp of lieutenant-gen. sir W. Erskine, whose extreme gallantry led him into the midst of the enemy's cavalry, and occasioned his being taken prisoner.

[Gen. Hill concludes his letter with warm praises of the admirable conduct, patience, and good will, shown by all ranks during forced marches in the worst weather.]

R. HILL.

P. S. Since writing the above report, a good many more prisoners have been made; and I doubt not but the whole will amount to 13 or 1400. Brig.-gen. Morillo has just returned from the pursuit

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of the dispersed, whom he followed for eight leagues. He reports, that besides those killed in the plain, upwards of 600 dead were found in the woods and mountains. Gen. Girard escaped in the direction of Serena, with 200, or 300 men, mostly without arms, and is stated by his own aide-de-camp to be wounded.

*Return of killed, wounded and missing.*—Total British loss, 7 rank and file, 5 horses, killed; 1 lieutenant-colonel, 2 majors, 4 captains, 4 serjeants, 47 rank and file, 11 horses, wounded; 1 general staff missing.

Portuguese loss, 6 rank and file wounded.

4. The Saldanha frigate, of 32 guns, with the honourable capt. Pakenham, and the whole of the crew, were lost this night off Lough Swilley, on the coast of Ireland. She had sailed from Lough Swilley a few days before, with the Talbot in company; and were returning into the Lough, when the Saldanha struck—not a soul saved! One man got to land, but so weak he could not speak, and died in a few minutes. Capt. Pakenham's body and above 200 of the brave fellows have been washed on shore.—There is another wreck lying beside the Saldanha.

LONDON, GAZETTE EXTRAORDINARY.

*Downing-street, Dec. 16.*

Capt. Tylden, military secretary to lieutenant-gen. sir Samuel Auchmuty, arrived this day with dispatches, addressed to the earl of Liverpool by lord Minto and sir Samuel Auchmuty, of which the following are copies:

*Weltevrede, Aug. 31.*

My lord,—I have the honour to acknowledge the receipt of your

lordship's dispatches of the 4th of September last, which reached me after landing on this island.—As the expedition against Java was undertaken by directions from the right hon. lord Minto, governor general of India, he has required me to detail to him the operations of the troops. Your lordship will, however, I trust, pardon the liberty I take in enclosing a copy of my letter, and will permit me to add the following general report.—We landed on the 4th instant, within 12 miles of Batavia, which was taken possession of on the 8th, without opposition. On the 10th, the troops had a sharp affair at Weltevrede, with the elite of gen. Jansens's army, which terminated in driving them into their strong position at Cornelis. On the 20th we assaulted the works at Cornelis, which were carried, and the whole army, upwards of 10,000 disciplined men, were either killed, taken, or dispersed, with the exception of a small party of horse that escaped with gen. Jansens. We killed about 2000, took three generals, and 5000 prisoners, and are now in possession of the whole country west of Cheribon.—I have directed my military secretary, capt. Tylden, to wait on your lordship with this dispatch; and I beg leave to refer you to him for such further particulars as your lordship may be desirous of being acquainted with.

S. AUCHMUTY, lieutenant-gen.

N. B. The inclosure alluded to is the dispatch from sir S. Auchmuty to lord Minto, printed with the subsequent inclosures.

*Batavia, Sept. 2.*

My lord,—I have the honour to submit to your lordship a copy of my letter to the honourable the court of directors, of the 1st of September,

September, inclosing his excellency sir S. Auchmuty's report of military proceedings in Java, to the 31st of August. Your lordship will observe with satisfaction, that the conquest of Java is already substantially accomplished, although the operations of the army have not hitherto been directed to the eastern parts of the island. But a powerful force is now embarking against Sourabaya, where, with the exception of the crews of two French frigates, the enemy has only a small body of native troops. The armament which is now proceeding under the personal command of his excellency the commander in chief, and which may reach its destination in 10 days, cannot fail of overpowering any resistance the enemy may make, if any should be attempted, and finally terminating the contest in Java. An empire which for two centuries has contributed greatly to the power, prosperity, and grandeur of one of the principal and most respected states of Europe, has been thus wrested from the short usurpation of the French government, added to the dominion of the British crown, and converted from a seat of hostile machination and commercial competition into an augmentation of British power and prosperity. For this signal, and, as your lordship will collect from the inclosed documents, this most splendid and illustrious service, Great Britain is indebted to the truly British intrepidity of as brave an army as ever did honour to our country; to the professional skill and spirit of their officers; and to the wisdom, decision, and firmness of the eminent man who directed their courage, and led them to victory. Your lordship will, I am sure, share

with me the gratifying reflection, that by the successive reductions of the French islands and Java, the British nation has neither an enemy nor a rival left from the Cape of Good Hope to Cape Horn.

MINTO.

*Head quarters, Weltevrede, Aug. 31.*

My lord,—After a short but arduous campaign, the troops you did me the honour to place under my orders have taken the capital of Java, have assaulted and carried the enemy's formidable works at Cornelis, have defeated and dispersed their collected force, and have driven them from the kingdoms of Bantam and Jacatra. This brilliant success over a well-appointed and disciplined force, greatly superior in numbers, and in every respect well equipped, is the result of the great zeal, gallantry, and discipline of the troops; qualities which they have possessed in a degree certainly never surpassed. It is my duty to lay before your lordship the details of their success; but it is not in my power to do them the justice they deserve, or to express how much their country is indebted to them for their great exertions. [Here the lieutenant-general gives a full account of all the preliminary operations, and then adds] The enemy was under arms, and prepared for the combat; and gen. Jansens, the commander in chief, was in the redoubt where it commenced. Col. Gillespie, after a long detour through a close and intricate country, came on their advance, routed it in an instant, and with a rapidity never surpassed, under a heavy fire of grape and musquetry, possessed himself of the advanced redoubt No. 3. He passed the bridge with the fugitives, under a tremendous fire; and assaulted, and carried

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with the bayonet, the redoubt No. 4, after a most obstinate resistance. Here the two divisions of the column separated. Col. Gibbs turned to the right, and with the 59th and part of the 78th, who had now forced their way in front, carried the redoubt No. 1. A tremendous explosion of the magazine of this work (whether accidental or designed is not ascertained) took place at the instant of its capture, and destroyed a number of gallant officers and men, who at the moment were crowded on its ramparts, which the enemy had abandoned. The redoubt No. 2, against which lieut.-col. McLeod's attack was directed, was carried in as gallant a style: and, I lament to state, that most gallant and experienced officer fell at the moment of victory. The front of the position was now open, and the troops rushed in from every quarter.

During the operations on the right, col. Gillespie pursued his advantage to the left, carrying the enemy's redoubts towards the rear; and, being joined by lieut.-col. McLeod, of the 59th, with part of that corps, he directed him to attack the park of artillery; which that officer carried in a most masterly manner, putting to flight a body of the enemy's cavalry that formed and attempted to defend it. A sharp fire of musquetry was now kept up by a strong body of the enemy, who had taken post in the lines in front of Fort Cornelis; but were driven from them, the fort taken, and the enemy completely dispersed. They were pursued by col. Gillespie, with the 14th regiment, a party of sepoys, and the seamen from the batteries under capt. Sayer, of the royal navy. By this time the cavalry and horse artillery had effected a passage

through the lines, the former commanded by major Travers, and the latter by capt. Noble; and, with the gallant colonel at their head, the pursuit was continued till the whole of the enemy's army was killed, taken, or dispersed.

Major Tule's attack was equally spirited; but, after routing the enemy's force at Camporg Maylayo, and killing many of them, he found the bridge on fire, and was unable to penetrate further.

I have the honour to inclose a return of the loss sustained, from our landing on the 4th to the 26th inclusive: sincerely I lament its extent, and the many valuable and able officers that have unfortunately fallen: but, when the prepared state of the enemy, their numbers, and the strength of their positions, are considered, I trust it will not be deemed heavier than might be expected. Theirs has greatly exceeded it. In the action of the 26th, the numbers killed were immense; but it has been impossible to form any accurate statement of the amount. About one thousand have been buried in the works, multitudes were cut down in the retreat, the rivers were choked up with dead, and the huts and woods were filled with the wounded, who have since expired. We have taken near five thousand prisoners, among whom are three general officers, thirty-four field officers, seventy captains, and one hundred and fifty subaltern officers. Gen. Jansens made his escape with difficulty during the action, and reached Buitenzorg, a distance of thirty miles, with a few cavalry, the sole remains of an army of ten thousand men. This place he has since evacuated, and fled to the eastward. A detachment of our troops is in possession of it.

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The superior discipline and invincible courage which have so highly distinguished the British army were never more fully displayed; and I have the heartfelt pleasure to add, that they have not been clouded by any acts of insubordination.

I have the honour to inclose a copy of the orders I have directed to be issued, thanking the troops in general for their services, and particularizing some of the officers, who, from their rank or situations, were more fortunate than their equally gallant companions, in opportunities of distinguishing themselves, and serving their sovereign and their country. But I must not omit noticing to your lordship the very particular merit of col. Gillespie, to whose assistance in planning the principal attack, and to whose gallantry, energy, and judgement in executing it, the success is greatly to be attributed.

To the general staff of the army, as well as my own staff, I feel myself particularly indebted. The professional knowledge, zeal, and activity of col. Eden, quarter-master-general, have been essentially useful to me; but I cannot express how much I have benefited by the able assistance and laborious exertions of col. Agnew, the adjutant-general, an officer whose active and meritorious services have frequently attracted the notice and received the thanks of the governments in India.

It is with particular pleasure I assure your lordship, that I have received the most cordial support from the hon. rear-admiral Stopford and commodore Broughton, during the period of their commanding the squadron. The former was pleased to allow a body of 500 seamen, under that valuable officer

capt. Sayer, of the *Leda*, to assist at our batteries. Their services were particularly useful; and I have the satisfaction to assure you, that both the artillery and engineers were actuated by the same zeal, in performing their respective duties, that has been so conspicuous in all ranks and departments,—though, from the deficiency of the means at their disposal, their operations were unavoidably embarrassed with uncommon difficulties.

I have the honour to be, &c.

S. AUCHMUTY, lieut.-gen.

(A true copy.)

T. RAFFLES, secretary to gov. gen.  
*The right hon. lord Minto, gov. gen. &c.*

General return of the killed, wounded, and missing, of the army commanded by his excellency sir Samuel Auchmuty, since its landing on the island of Java on the 4th of August, 1811, till the 26th of August, 1811; since when no casualties have occurred.

*Head-quarters near Batavia, Aug. 31.*

Total killed, Europeans, 1 lieutenant-colonel, 3 captains, 9 lieutenants, 2 ensigns, 2 staff-serjeants, 6 serjeants, 91 rank and file; Natives, 2 jemindars, 2 havildars, 23 rank and file.

Total wounded, Europeans, 3 lieutenant-colonels, 2 majors, 14 captains, 36 lieutenants, 7 ensigns, 1 staff-serjeant, 32 serjeants, 2 drummers, 513 rank and file; Natives, 2 subildars or serangs, 4 jemindars, 9 havildars, 1 drummer, 107 rank and file.

Total missing, 13 rank and file.

Total horses, 14 killed; 21 wounded; 3 missing.

P. A. AGNEW, adj.-gen.

#### SANGUINARY MURDERS.

8. The family of Mr. T. Marr, silk-mercier, 29, Ratcliffe Highway,  
(L 3)

way, consisting of himself, his wife, an infant son 14 weeks old, and an apprentice—was found murdered between twelve and one on Sunday morning. It appears from the deposition of the servant girl, that she was sent out on Saturday night about twelve, to purchase oysters for supper, and to pay the baker's bill; in about 20 minutes she returned, but found the shutters closed, the door fast, and no appearance of light. Alarmed at not obtaining admittance, she imparted her fears to a watchman, and Mr. Murray, pawnbroker, the next-door neighbour: the latter immediately made his way into Mr. Marr's house, through the back door, which was open: on the landing-place he was struck with the horrid spectacle of James Gohen, an apprentice, 14 years of age, lying on his face at the further part of the shop, with his brains knocked out, part of them actually covering the ceiling. He immediately called out for assistance; and on further search, Mrs. Marr was found lying on the floor near the street-door, and Mr. Marr behind the counter, both weltering in their blood from dreadful wounds about the head, but without any signs of life. Even a child in the cradle, not four months old, found in its infancy, innocence, and incapacity of impeaching the assassins, no protection from their barbarous hands. It was discovered with its throat cut from ear to ear! With such silence were these murders committed, that not the least noise was heard by any of the neighbours, except Mr. Murray, who heard a noise which appeared to be on the shop floor, and resembled the pulling of a chair, and the sound of a voice, as if proceeding from the fear of correction, like

a boy's or woman's. The watchman reports that a little after twelve, he found some of the window-shutters not fastened, and called to those he heard within to acquaint them with it, and received for answer, "We know it." This answer must have been given by the murderers, after the accomplishment of their work of death! The murders must have been perpetrated in less than half an hour—a short space for the accomplishment of such atrocious deeds! To this cause it may be attributed that nothing was taken from the house, though 152*l.* in cash were found in a tin box, besides four or five pounds in change in Mr. Marr's pockets. The ill-fated heads of this family were under 25 years of age, and had been married only two years. The assassins left behind them a large shipwright's maul or mallet, its head weighing two or three pounds, and its handle about three feet long; a ripping chisel of iron, 18 inches long; and a wooden mallet, about four inches square, with a handle of about 18 inches.—A coroner's inquest was held on Thursday the 10th instant, who returned a verdict of "Wilful murder against some person or persons unknown."

Between eleven and twelve o'clock on Thursday night, Dec. 19, the neighbourhood of New Gravel Lane was alarmed by a cry of murder from a person in his shirt, at No. 81, who was descending from a two-pair of stairs window by the sheets of his bed knotted together. On his reaching the bottom, he informed those who were assembled, that murderers were in the house, committing dreadful acts of blood on the whole family.—An alarm was instantly given,

given, and two resolute men, one named Ludgate and the other Hawse, armed themselves and broke open the door, when, horrid to relate! they first found the mistress of the house and the maid-servant lying one on the other by the kitchen fire quite dead, with their throats cut from ear to ear.—On continuing their search, they proceeded to the cellar, where they found the master of the house quite dead, one of his legs broken, and his head nearly severed from his body. The scene of this bloody deed was the King's Arms public-house; and the unfortunate persons murdered are Mr. and Mrs. Williamson (the landlord and landlady), and their maid-servant, an Irish girl. The person who descended from the window is named Turner; he was a lodger, and deposed before the magistrates that he returned home about eleven on Thursday night; the family were at supper; he wished them a good night, and went to bed:—he slept about half an hour, when he was alarmed by the cry of "We shall all be murdered!" He cautiously went down stairs, and looking through the glass window of the tap-room, saw a powerful well-made man, six feet high, and dressed in a drab shaggy bear-skin coat, stooping over the body of Mrs. Williamson, apparently rifling her pockets. His ears were then assailed by the deep sighs of a person in the agonies of death. Terrified beyond description, he ran up stairs, and not being able to find the trap-door, he went back to his own room, and escaped quite naked, as above mentioned.—The niece was in a sound sleep during the whole time the murders were perpetrating.—It is evident from Mr. Williamson's appearance, that he must have

made a vigorous resistance. The house of the deceased was not two streets distance from that of Mr. Marr; and in the rear of both is a large piece of waste ground, belonging to the London Dock company, which seems to have been, on both occasions, peculiarly favourable to the escape of the murderers. At the coroner's inquest on the bodies of the Williamsons, the coroner (Mr. Unwin), previously to taking the depositions of the several witnesses, delivered the following excellent charge to the jury:

"The frequent instances of murder committed in the eastern part of the metropolis, which no vigilance has been successful to detect; in a vicinity where the population of the lower classes of the community greatly preponderates, increased by the number of strangers and seamen discharged from time to time at the East and West India and London docks, and the influx of foreign sailors from all parts of the globe—imperiously call for the solemn attention of those more immediately intrusted with the administration of government; for the late and present murders are a disgrace to the country, and almost a reproach on civilization: while the exertions of the police, with the ordinary power of the parochial officers, are found insufficient to protect men's persons from the hand of violence; and the coroner has to record the most atrocious crimes, without the possibility of delivering the perpetrators to justice and punishment; our houses are no longer our castles, and we are unsafe in our beds. These observations, strong as they are, will be found warranted by the events which have lately taken place within a short  
(L 4) distance

distance from the spot where we are now met, and by the numerous verdicts of *Wilful Murder* which, during the last three months, have been returned by juries against persons unknown, not one of which has yet been discovered. Until some more appropriate remedy be pointed out, it appears advisable, in the present agitation of the public mind, that parties of the military, under the direction of the civil power, selected from the militia or the guards, should patrol this district during the night. Your verdict, I am sorry to say, will, in these cases, be given generally on the evidence, as the perpetrators are unknown; but it may be hoped, by the aid of that Divine Providence which seldom permits murder, in this life, to go unpunished, with the exertions which will be used, these inhuman monsters may be discovered and brought to justice. Your verdict will be "*Wilful murder against some persons unknown.*"

Large rewards, amounting to nearly 1500*l.* have been offered for the discovery of the murderers, by government, and the parish of St. George, &c. Several persons have been examined on suspicion; and very strong evidence has been adduced against an Irish sailor, named John Williams, *alias* Murphy. This man, it appears, lodged at the Pear-tree public-house, kept by Mrs. Vermilloe, from which the very maul Mr. Marr's family were massacred with had been missing. It had been left there by John Peterson, a ship-carpenter, with a chest of tools, all of which were marked J. P. The maul was taken by the magistrates to Newgate, where Mr. Vermilloe was confined for debt; who, on being interrogated, said, that though he

could not positively swear that it was the same, yet the confident certainty he entertained of its identity was very much confirmed by the circumstance of its being broken, which he remembered having done in breaking up some firewood. The testimony of Mrs. Vermilloe before the magistrates tended to confirm this fact; as well as one of her nephews, a child who lived with her, who recollected having played with it, and that it was broken at the point. The woman who washed the prisoner's linen, on her examination stated the fact of a shirt of his having been bloody and torn; which the prisoner attempted to account for by his having quarrelled with his companions, and having his mouth cut. Other witnesses proved him to have been seen near Williamson's house on the night of his murder; and that he was well acquainted both with Marr and Williamson. On the 27th, Mrs. Vermilloe was again examined. She positively denied that she had any suspicion of Williams's associates. The first she knew of him was his going out in the Dover Castle Indiaman, and when he came home he lodged at her house. He then went a voyage in the Roxburgh Castle, and had been home twelve weeks before the murders. She never suspected him till the maul and stockings were produced; when she remarked that he had cut off his whiskers. Mr. Lawrence, a publican, and his daughter, and Mr. Lee another publican, proved Williams's making very free at their houses, meddling with their tills, &c. and expressed their dislike of his conduct, and their wish to avoid his using their houses. John Harris, a fellow lodger with Williams, proved his coming home about one o'clock on the night of

Mr.

Mr. Marr's murder. In the morning he told Williams of it, who was still in bed. He replied surlily, "I know it." When he found the muddy stockings behind his chest, suspicion struck him, and he informed Mrs. Vermilloc. From this circumstance, and from Williams's general conduct, he was persuaded he was concerned in the murders. Williams was much agitated, seldom sleeping. One night since the murder, he heard him say in his sleep, "Five shillings in my pocket—my pockets are full of silver." [It was proved he had no money before, having borrowed sixpence of his landlady.]—Cuthperson, the other fellow-lodger, proved the same facts, of his restlessness, and talking to himself in his sleep. Cuthperson, on the morning of the murder, was in bed, but not asleep: the watchman was crying past one: he was positive that the prisoner said, "For God's sake put out the light, or else something will happen;" but he was not certain whether it was the same morning he heard of Marr's murder.

We regret to add, that the ends of justice are defeated as far as relates to this Williams, against whom such strong suspicions of guilt have appeared. On Dec. 27, on his cell at Cold-bath-fields being opened in the morning, it was discovered that he had hanged himself with his neck handkerchief. This last act of his life warrants the inference that he was concerned in these atrocious murders: but he most probably had accomplices, who, we hope and trust, will yet be discovered, and brought to justice.

CORONER'S INQUEST ON WILLIAMS,  
THE SUPPOSED MURDERER.

On Friday a coroner's inquest

was held at the house of correction, in the parish of St. James, Clerkenwell, on the body of John Williams, who was found dead in his cell, in the Cold-bath-fields prison, before John Wright Unwin, esq. one of the coroners for the county.

Thomas Webb sworn.—I am surgeon to the prison; I was called to the deceased this morning.—I found him in his cell, lying on his back on the bed, where he had been placed by the person who cut him down—he was dead and cold, and had been dead many hours—on his neck, on the right side, is a very deep impression of a knot, and a mark all round the neck as from the handkerchief by which he had been suspended—the handkerchief was still on the neck—I saw no other marks of violence on his body—I have no doubt he died from strangulation; he told me, the day before yesterday, he was perfectly easy and satisfied, for that nothing could happen to him.

THOMAS WEBB.

Francis Knott sworn.—I am a prisoner here; I saw the deceased alive and well yesterday, about half-past three in the afternoon; he asked me if he could see his friends? I told him I did not know. This morning, about half-past seven o'clock, Joseph Becket, the turnkey, came to me in the yard, and desired me to go up to the cell of the deceased and cut him down, for that he had found him hanging. I went up immediately, and put my arm round his body, and cut the handkerchief, part of which was round his neck, and the other part was fastened to the rail which the bed and clothes are hung upon in the day-time—the rail is six feet three inches from the ground. I laid him on his back on the bed; he was cold, and seemed to have been

been dead some time ; he was ironed on the right leg ; he was placed in what is called the re-examination cells, and left as persons in his situation always are. I had no suspicion of any thing of the kind happening ; he was quite rational and collected when he spoke to me.

FRANCIS KNOTT.

Joseph Beckett sworn.—I am turnkey here ; I locked the deceased up about ten minutes before four yesterday afternoon ; he was then alive and well ; I asked him if he had wanted any thing—he said No ; he has said during his confinement, he hoped the innocent would not suffer, and that the saddle might be placed on the right horse. Between seven and eight this morning I unlocked the door of his cell, I discovered him hanging to the rail in his cell, with his feet nearly or quite touching the ground, with a white handkerchief round his neck, which handkerchief I had seen him wear ; I called Knott and Harris, and saw him cut down.

JOSEPH BECKETT.

Mr. Unwin, the coroner, then addressed the jury : “ The miserable wretch, the object of the present inquiry, was committed here on suspicion of being one of the perpetrators of the late alarming and most inhuman murders, and that suspicion is greatly increased by the result which has taken place : for how much augmented is the suspicion of guilt against a man, who, to escape justice, has recourse to self-destruction ! All homicide is murder till the contrary shall be shown. The law ranks the suicide in the worst class of murderers, and this is a case of most unqualified self-murder.

“ I have applied my attention to the conduct of those intrusted with the custody of this wretched

man, as a subject interesting to the public mind, and I leave it with you : *I think there is no culpability attaching itself to them.* It only therefore remains that we consign the body of this self-murderer to that infamy and disgrace which the law has prescribed ; and to leave the punishment of his crimes to Him that has said, “ Vengeance is mine, and I will repay.”—Verdict—*Felo de se.*

Was there no culpability attaching to the keeper or his deputies for permitting such a man, as Williams is represented to have been, to escape the due course of law ? Was he to be left alone sixteen hours on a stretch ? If he were the guilty man, and even under the suspicions that attached to him, he ought not to have been left an hour or a minute. Had there not been warning but two days before of another man detained on suspicion, having taken away his life in a common watch-house ? and yet the keeper of Clerkenwell New Prison permit Williams to do the same ! The life of this man, if he were guilty, was of the utmost importance to the public, whose alarms will not now subside for months or perhaps years to come. It is however possible that he was not guilty. Admitting only the possibility of his innocence, and is there no culpability in shutting a fellow creature up in a cold cell for sixteen hours, in the depth of winter, without fire or candle, under the weight of the heaviest charge that a human being can stand under ? Such was the temper of the public, that it would have been almost impossible that a man accused and indicted could have had a fair and impartial trial ; and might not an innocent man, knowing the exasperated state of the public mind, and being left to his

his own reflections so long, sixteen hours, which in such circumstances would appear an age, have been driven to despair, and thus have committed the act of self-destruction? By the laws of England no man is punishable till he is proved guilty! why then treat him as a criminal the instant suspicion attaches to him?

Suspicion and guilt are not always convertible terms, as has been proved by a very decisive fact. A woman [see following article] was suspected, was indicted and tried for child-stealing, and notwithstanding her acquittal multitudes thought her guilty; and at one time, could the mob have got possession of her, she would have been probably torn to pieces:—yet it is now demonstrated that she was perfectly innocent. Such a fact should teach magistrates caution; such a fact should lead the British public to wait for conviction by a British jury before they inflict punishment.

That Williams has been treated as guilty without trial, see the following article.

#### THE INTERMENT OF WILLIAMS.

On Tuesday the final arrangements were made by the magistrates at Shadwell Police-office, for the consignment of this monster to the infamy due to his atrocious crimes. Mr. Capper, the magistrate, had waited on the secretary for the home department, for the purpose of considering with what justice the usual practice of burying culprits of a similar description, in the cross-roads nearest to the spot where the offence of suicide is committed, might be departed from in this extraordinary instance of self-murder.

About ten o'clock on Monday

night, Mr. Robinson, the high constable of the parish of St. George, accompanied by Mr. Machin, one of the constables, Mr. Harrison, the collector, and Mr. Robinson's deputy, went to the prison at Cold-bath-fields, where the body of Williams being delivered to them was put into a hackney-coach, in which the deputy constable proceeded to the watch-house of St. George, known by the name of the Round-about at the bottom of Ship-alley. The other three gentlemen followed in another coach, and about twelve o'clock the body was deposited in the black hole, where it remained all night.

Tuesday morning, about nine o'clock, the high constable, with his attendants, arrived at the watch-house with a cart that had been fitted up for the purpose of giving the greatest possible degree of exposure to the face and body of Williams. A stage or platform was formed upon the cart by boards, which extended from one side to the other. They were fastened to the top, and lapping over each other from the hinder part to the front of the cart, in regular gradation, they formed an inclined plane, on which the body rested, with the head towards the horse—and so much elevated, as to be completely exposed to public view. The body was retained in an extended position by a cord, which, passing beneath the arms, was fastened underneath the boards. On the body was a pair of blue cloth pantaloons, and a white shirt, with the sleeves tucked up to the elbows, but neither coat nor waistcoat. About the neck was the white handkerchief with which Williams put an end to his existence. There were stockings but no shoes upon the feet. The countenance was fresh,



fresh, and perfectly free from discoloration or livid spots. The hair was rather of a sandy cast, and the whiskers appeared to have been remarkably close shaven. On both the hands were some livid spots. On the right hand side of the head was fixed, perpendicularly, the maul with which the murder of the Marrs was committed. On the left, also in a perpendicular position, was fixed the ripping-chisel. Above his head was laid, in a transverse direction upon the boards, the iron crow; and parallel with it, the stake destined to be driven through the body. About half past ten the procession moved from the watch-house, in the following order:

Mr. Machin, constable of Shadwell.  
Mr. Harrison, collector of king's taxes.

Mr. Lloyd, baker.

Mr. Strickland, coal merchant.

Mr. Burford, stationer.

and

Mr. Gale, superintendant of Lascars in the East India company's service—all mounted on gray horses,

The constables, headboroughs, and patrols of the parish, with cutlasses.

The beadle of St. George's in his official dress.

Mr. Robinson, the high constable of St. George's.

The cart with the bonny.

A large body of constables.

An immense cavalcade of the inhabitants of the two parishes closed the procession.

On arriving opposite to the house of Mr. Marr, the procession halted for about ten minutes, and then proceeded down Old Gravel-lane, New Market-street, Wapping High-street, and up New Gravel-lane, when the procession again stopped,

opposite the Kings's Arms, the house of the late Mr. Williamson. From thence it proceeded along Ratcliffe Highway, and up Canon-street, to the turnpike gate, at which the four roads meet, viz:—the New-road into Whitechapel—that into Sun Tavern-fields—the back lane to Wellclose-square—and Ratcliffe Highway. The hole, about four feet deep, three feet long, and two feet wide, was dug precisely at the crossing of the roads, four or five feet from the turnpike-house. About half-past 12 o'clock the body was pushed out of the cart, and crammed neck and heels into the hole, which, as it will have been seen from the dimensions, was purposely so formed, as not to admit of being laid at length. The stake was immediately driven through the body, amid the shouts and vociferous execrations of the multitude, and the hole filled up, and well rammed down. The parties forming the procession then dispersed.

A new-invented printing-press has been constructed at Philadelphia, by a Mr. Wait. The distribution of the ink over the types, as well as the printing, is performed by cylinders, which, with the tympan and frisket, are all operated by machinery, to which motion may be given by a horse, by steam, or by water. The same power can work several presses. The only attention necessary is that of a lad to each press to place and remove the sheets.

The United States ship, *Rapid*, on her outward bound voyage from Boston to Canton, was in January wrecked on the west coast of New Holland; when 17 of the crew gained the shore; but, finding the place inhabited by savages, they sailed in the open boat to Ballambussang,

bussang, island of Java, a navigation of 1500 miles. The hardships they underwent occasioned the death of seven men; but the surviving 10 were kindly treated on their arrival, and removed to Surabaya. They were strongly solicited to enter the native service, but had refused.

#### CHILD-STEALING.

30. On Monday the 18th of November in the forenoon, a little boy named Thomas Dellow was stolen from his parents, in Martin's Lane, Upper Thames Street. Suspicion, from some cause or other, fell upon a person, Mrs. Russell, of rather respectable connexions: she was examined repeatedly before the lord-mayor, protesting at each hearing her innocence, and calling other persons to prove an alibi. Some witnesses however swearing most positively to her person, as one who had taken the child first to a pastry-cook's, afterwards to a hatter's, she was fully committed for trial. The populace, ever ready to decide without proper evidence, took up a most violent prejudice against her, not only assuming that she was the guilty person, but would probably, but for the humane interference of the city chief magistrate, have inflicted upon her the most severe and summary punishment. Her trial came on in the December session, and she was acquitted; upon sufficient proof being given of an alibi. The child was not, at that time, discovered, and the public still believed her guilty. The parish officers caused hand-bills, describing the child, to be printed, and circulated through the kingdom, offering a reward of one hundred guineas to the person who should discover the child. This great reward caused much but ineffectual vigilance in the coun-

try, until the latter end of last week, when a woman at Gosport observed a neighbour of hers in possession of a boy bearing the marks described, and answering to the age of three years old. She immediately thought it was Thomas Dellow, who had been so long missing: the more so, as she had reason to believe that the pretended mother had never borne a child. She communicated her suspicions to the nearest magistrate, who sent for Mrs. Magnes, the pretended mother. The moment she was interrogated on the subject, she confessed the whole affair, and her motive for the robbery.

Magnes, her husband, who was a gunner on board one of his majesty's ships, and had saved a considerable sum of money for a man in his station of life, was extremely partial to children, and had often expressed his most anxious wish to have a *little darling*, as he used to term it. His wife, not less anxious to gratify him in this respect, wrote to him while at sea, that she was in the family-way. The gunner, highly delighted that he had obtained his desired object, sent home the earnings of many a cruise, amounting to 300*l.* with a particular charge that the infant should be well *rigged*, and want for nothing: if a boy, so much the better.

The next letter from his hopeful wife announced the happy tidings, that his *first-born* was a son, and that she would name him *Richard*, after his father. The husband expressed his joy at the news, and counted the tedious hours until he should be permitted to come home to his wife and child.

On his return the child was out at nurse, according to the report of his wife. On a second visit he was determined to see the child, and the mother

mother then came to London, stole young Dellow, and carried him home as their own son Richard. Mrs. Magnes was apprehended and brought to London, and before the lord mayor she told the same story as she admitted was the fact in the presence of the magistrates as Gosport. Thus completely acquitting Mrs. Russel of every part and portion of the guilt imputed to her.

## THE BRITISH NAVY.

There are at present in commission 746 ships of war, of which 159 are of the line, 20 from 50 to 44 guns, 169 frigates, 140 sloops of war, 6 fire ships, 153 armed brigs, 36 cutters, and 70 gun vessels and luggers; besides which, there are in ordinary, repairing for service, and building, several ships, which make the total amount 1024, of which 261 are of the line.

## The LONDON GENERAL BILL of

CHRISTENINGS and BURIALS from December 12, 1810, to December 11, 1811.

Christened { Males 10443 } In all, { Buried { Males 8868 } In all, { Decreased in  
Females 10202 } 20,645 { Females 8175 } 17,043 { Burials 2350.

Died under 2 years	5853	20 and 30 -	1218	60 and 70 -	1587	100 - 0	104 - 0
Between 2 and 5	2430	30 and 40 -	1788	70 and 80 -	1262	101 - 0	105 - 1
5 and 10	850	40 and 50 -	2018	80 and 90 -	475	102 - 0	110 - 0
10 and 20	695	50 and 60 -	1648	90 and 100 -	70	103 - 0	115 - 0

## DISEASES.

Abortive, Still born	650	Fistula	3	Pleurisy	16	Burnt	40
Abscess	68	Flux	24	Purples	1	Choked	2
Aged	1296	French Pox	32	Quinsy	3	Drowned	147
Ague	1	Gout	32	Rheumatism	11	Excessive Drink-	12
Apoplexy and sud-	218	Gravel, Stone, and	1	Rickets	1	ing	7
denly	218	Strangury	18	Scald Head	1	Executed*	1
Asthma & Phthisis	545	Grief	4	Scurvy	3	Fatigue	1
Bile	10	Headmoldshot, Horse-	4	Small Pox	751	Found Dead	20
Bleeding	24	shoe-head, & Water	1	Sore Throat	1	Fractured	1
Bursten & Rupture	21	in the Head	299	Sores and Ulcers	12	Frighted	2
Cancer	81	Influenza	4	Spasm	32	Frozen	1
Carbuncle	1	Itch	1	St. Anthony's Fire	2	Killed by Falls and	85
Childbed	208	Jaundice	22	Stoppage in the Sto-	1	several other Ac-	41
Colds	9	Jaw Locked	4	mach	8	cidents	1
Colick, Gripes, &c.	6	Inflammation	609	Swine Pox	1	Killed themselves	41
Consumption	4754	Leprosy	3	St. Vitus's Dance	1	Manslaughter	1
Convulsions	3500	Lethargy	4	Teeth	260	Murdered	4
Cough, and Hooping-	486	Livergrown	36	Thrush	41	Poisoned	4
Cough	486	Lunatic	191	Water in the Chest	14	Scalded	4
Cramp	3	Measles	235	Worms	5	Smothered	1
Croup	69	Miscarriage	3	CASUALTIES.		Starved	1
Diabetes	3	Mortification	227	Bit by a mad Dog	1	Suffocated	8
Dropsy	750	Palpitation of the	7	Broken Limbs	3		
Evil	7	Heart	7	Bruised	3		

Total 389

\* There have been executed in the city of London 14; of which number 7 only have been reported to be buried (as such) within the bills of mortality.

*Births in the year 1811.*

*Jan.* 1. The lady of sir Howard Douglas of a daughter.

8. Lady Bruce of a son.

— The countess of Selkirk of a daughter.

15. The countess of Queensberry of a daughter.

17. The countess of Albemarle of a son.

21. Viscountess Hamilton of a son.

28. Countess of Harrowby of a daughter.

*Feb.* 3. The wife of William Gordon, esq. M. P. of a son.

9. Countess of Mansfield of a son.

12. The lady of Alexander Hope, esq. M. P. of a daughter.

— The marchioness of Douglas of a son and heir.

25. Lady King of a son.

— The hon. Mrs. Ponsonby of a daughter.

26. The wife of Henry Bonham, esq. M. P. of a daughter.

*March.* 24. The wife of gen. Burr of a son and heir.

— The marchioness of Lansdowne of a son and heir.

26. Lady Harriet Drummond of a son and heir.

— Lady Henry Fitzroy of a son.

— Lady Bagot of a son and heir.

*April* 8. The wife of Edward Hartopp, of a son.

10. The marchioness of Bath of a daughter.

14. Lady Brownlow of a daughter.

19. Countess of Römney of a daughter.

20. The lady of sir Henry Lushington, bart. of a son.

— Of a posthumous son and

heir, the widow of the hon. Willoughby Bertie, brother to the earl of Abingdon.

22. The marchioness of Ely of a daughter.

23. Lady Caroline Capel of a daughter.

26. The marchioness of Waterford of a son.

*May* 3. The wife of Francis Freeling, esq. a son.

21. The wife of G. Gipps, esq. M. P. a daughter.

22. The duchess of Newcastle, of a son and heir.

27. Mrs. Henry Erskine of a daughter.

31. Viscountess Galway of a son.

*June* 1. The wife of A. W. Roberts, esq. of a son.

5. Viscountess Arbuthnot of a daughter.

9. The wife of T. A. Curtis, esq. of a daughter.

15. The lady of lieutenant-gen. sir George Nugent of a son.

30. Mrs. Harvey Combe of a son.

— Countess of Chichester of a daughter.

*July* 1. The lady of J. Denison, esq. M. P. of a son.

11. The lady of Benj. Hobhouse, esq. M. P. of a son.

17. Lady Lovaine of a son.

20. The countess of Elgin of a son.

25. Countess of Enniskillen of a daughter.

— Lady Arundel of a son.

*August* 2. Hon. Mrs. Holland of a daughter.

5. The wife of George Baring, esq. of a daughter.

8. The lady of Edw. Fawkes, esq. of a son.

18. Duchess of Beaufort of a daughter.

26. The wife of T. P. Courtney, esq. of a daughter.

29. Lady

29. Lady Eliz. Littlehales, sister of the duke of Leinster, of a daughter.

31. Mrs. Faller Maitland of a daughter.

*Sept* 4. Viscountess Turnour of a daughter.

5. The wife of col. Osborn of a daughter.

— Lady Anne Chad of a son and heir.

7. Hereditary princess of Bavaria of a son.

— Countess of Courtoun of a daughter.

*Oct* 6. Lady Frances Legge of a daughter.

8. The wife of John Thornton, esq. of a son.

12. The wife of Richard Yates, esq. of a son.

17. Lady Mary Ann Sotheby of a daughter.

27. Lady Kinnaird of a son.

28. The lady of sir J. F. Leicester of a son and heir.

31. Countess of Banbury of a daughter.

*Nov* 1. Lady Levinge of a son and heir.

8. Lady St. John of a son and heir.

— Viscountess Hinchinbrook of a son and heir.

13. The wife of G. H. Rose, esq. M. P. of a son.

25. The lady of sir James Stronge, bart. of a son and heir.

— Marchioness of Donegal of a son.

— Viscountess Glentworth of a daughter.

— Viscountess Lismore of a daughter.

— The lady of the hon. and rev. Thos. de Grey of a son.

*Dec* 1. Lady Charlotte Hood, of a daughter.

2. Countess of Gosford of a daughter.

12. Viscountess Pollington of a son.

20. The wife of Charles Thomas Hudson, esq. of a son and heir.

30. The right hon. lady Lucy Taylor of a son.

### MARRIAGES *in the year* 1811.

*January* 3. The hon. Windham Henry Quin, M. P. to Caroline, only daughter of Thomas Wyndham, esq. M. P.

5. N. B. French, esq. to Elizabeth, only child of the hon. Wm. Jackson, chief justice of Jamaica.

14. R. Strode, esq. to Harriet, youngest daughter of the late sir Frederic Leman Rogers.

22. The rev. Frederic Croker, to Ann, daughter of the late captain Walker.

*Feb* 1. Thomas Hughan, esq. M. P. to miss Milligan.

6. Rev. Robt. Walpole, to Caroline, youngest daughter of the late John Hyde, esq.

12. Richard Jennings, esq. to Louisa, youngest daughter of Paul Joddrell, esq.

— Humphrey Weld, esq. to the hon. Christina Clifford, eldest daughter of lord Clifford.

21. John Evans, esq. and alderman, to miss Mugg.

25. Sir John Twisden, bart. to Catharine Judith, eldest daughter of the rev. Wm. Coppard.

26. Capt. Arundel, son of lord Arundel, to lady Mary Grenville, only daughter of the marquis of Buckingham.

28. Lord and lady Thanet were re-married.

— Dr. Pritchard to the eldest daughter of the rev. Dr. Estlin Bristol.

*March* 2. Peter Lowe, esq. to Louisa, eldest daughter of Mr. Richard Butler.

8. At Gretna Green, the hon. C. E. Law, second son of lord Ellenborough, to Elizabeth Sophia, daughter of the late sir Ed. Nightingale; re-married on the 22d of May.

15. Robt. Wardlaw, esq. to lady Anne Lindsay, youngest daughter of the earl of Balcarras.

19. John Edw. Carter, esq. to miss E. Markland.

25. D. A. P. W. Philip, M. D. of Worcester, to Mary, sixth daughter of the late Charles Domville, esq.

*April 2.* Rev. L. W. Eliot, to Matilda Elizabeth, second daughter of the late Henry Halsey, esq.

5. Henry Fellowes, esq. to Frances, youngest daughter of sir John Frederic, bart.

13. John Ireland Blackburne, esq. M. P. to miss Bamford.

16. Rev. S. Birch, to Margaret, eldest daughter of William Brownrig, esq.

18. W. E. Tomline, esq. eldest son of the bishop of Lincoln, to Frances, only daughter of the late John Amllet, of Ford-hall, Shropshire.

26. William Ward, esq. of Belle Vue, Isle of Wight, to Emily, fifth daughter of H. Combe, esq.

29. John Dorset Brighthurst, esq. to Frances Maria, daughter of William Gore, esq.

*May 1.* John Smith, esq. M. P. to miss Leigh, daughter of Eger-ton Leigh, esq.

4. J. Baskervyle Glegg, esq. to Ann, youngest daughter of the late Thomas Townley Parker, esq.

5. Rev. George Murray, to the right hon. lady Sarah Maria Hay.

11. William Hargood, esq. rear-admiral of the blue, to Maria, third daughter of the late T. S. Cocks, esq.

15. James Orde, esq. to Marga-

ret, eldest daughter of W. Beckford, esq. of Fonthill.

16. Rev. Dr. Davy, Caius College; Cambridge, to miss Stevenson, of Hertford-street, May-fair.

20. Col. Francis William Grant, M. P. to Mary Anne, only daughter of John Charles Dunn, esq.

25. W. C. Chambers, esq. to the eldest daughter of the late Charles Mellish, esq.

27. Rev. Lewis Way, to Caroline Elizabeth, only daughter of John Leech, esq.

30. Capt. Curtis, of the R. N. to miss Greetham.

*June 2.* Capt. Sykes, of the R. N. to miss Earl, daughter of Edward Earl, esq.

6. C. C. Adderley, esq. to Anna Maria, eldest daughter of sir E. C. Hartopp, bart.

10. C. R. Barker, esq. to Elizabeth, eldest daughter of Nat. Barnardiston, esq.

18. J. R. S. Phillips, esq. to Anna Maria, eldest daughter of sir J. Tyrell, bart.

19. John Tyrrell, esq. to Clarissa Eliza, only daughter of William Merle, esq.

22. Henry Albers, esq. to Lucia Lucretia, second daughter of N. A. Martinus, esq.

26. Lord Burghersh, to miss Wellesley Pole.

— Lord viscount Deerpur, to lady Mary Beauclerk, daughter of the earl of St. Albans.

*July 4.* The hon. Wm. Fitzroy, to lady Elizabeth Fitzroy, third daughter of the late duke of Gloucester.

8. The right hon. Charles Manners Sutton, to Charlotte, eldest daughter of John Dennison, esq.

11. Edward Price, esq. to the right hon. lady Theodosia Pery, second daughter of the earl of Limerick.

19. Lieut.-col. Adam, to miss Thompson.

25. W. O. W. Ogle, esq. to Elizabeth Frances Staples, niece to the late marquis of Waterford.

— Charles Grantham, esq. to Emily, youngest daughter of the late right hon. James Fortescue.

29. Rev. Wm. Ferrie, to Elizabeth, youngest daughter of the late principal M. Cormick, of St. Andrews.

*August 5.* The earl of Plymouth, to lady Mary Sackville, eldest daughter of the duchess of Dorset.

6. Hon. maj. Frederick Howard, to miss Lambton.

10. Edward Wolstenholme, esq. to Arabella, second daughter of the hon. Edward Ward.

14. B. Dashwood, esq. to the hon. Georgiana Pelham, youngest daughter of lord Yarborough.

24. Sir J. C. Sherbrooke, K. B. to Katharina, eldest daughter of the rev. Reginald Pyndar.

27. Hon. John Astley Bennett, youngest son of the earl of Tankerville, to miss Conyers.

29. William Ebbart, esq. to Elizabeth, daughter of the hon. and rev. Francis Knollis.

*Sept. 1.* The right hon. viscount Ickermé, to Anne, eldest daughter of Owen Wynne, esq.

5. Major-gen. Orde, to Harriet, eldest daughter of the late Henry Bevan, esq.

13. The right hon. viscount Ranelagh, to Caroline, only daughter of colonel Lee.

16. Hon. col. W. Blaquiere, to lady Harriet Townsend.

19. Mr. E. Gardner, to miss Bensley.

24. Mr. John Rivington, to miss Blackburn.

*Oct. 1.* J. H. Thorold, esq. to

Mary, eldest daughter of the late sir Charles Kent.

5. Geo. Bvng, esq. capt. R. N. to Frances H. second daughter of sir Robert Barlow.

12. Rev. Vaughan Thomas, to Charlotte, daughter of the rev. J. Williams.

16. Lord Caledon, to lady Caroline York, daughter of the earl of Hardwicke.

19. E. M. Munday, esq. M. P. to Mrs. Barwell.

22. Sam. Sheene, esq. to Rebecca, youngest daughter of the late Isaac Solly, esq.

24. Henry F. C. Cavendish, esq. to Sarah, the youngest daughter of the late William Fawkener, esq.

— William Jones Burdett, esq. to miss Brent.

26. Rev. Francis Mills, to Catharine, fourth daughter of the late sir John Mordaunt.

— Marquis of Downshire, to lady Maria Windsor, sister of the earl of Plymouth.

*Nov. 6.* Re-married viscount and lady Deerhurst.

7. Hon. Philip Pleydell Bouverie, to Maria, daughter of sir William A'Court, bart.

9. Re-married, Philip Squambella, esq. eldest son of the vice-duke of Marino, to Frances, third daughter of Godfrey Meynell, esq.

11. Peter Horrocks, esq. to Clara, second daughter of William Jupp, esq.

19. Rev. G. J. Tavel, to lady Augusta Fitzroy, daughter to the late duke of Grafton.

21. Lord Lindsay, to miss Pennington, only daughter of lord Muncaster.

30. Sir Thomas Maynard Haslrigge, to the hon. Letitia, daughter of lord Wodehouse.

*Dec. 2.* Capt. Maling, R. N. to Harriet,

Harriet, youngest daughter of the late Dr. Darwin.

9. Capt. Powlett, R. N. to the eldest daughter of sir Geo. Dallas, bart.

14. Sir Thomas Leighton, bart. to Sylvia, daughter of Mr. J. Brandon, of the theatre Covent Garden.

23. Robert Dale, esq. to Harriet, eldest daughter of lieut.-col. P. Bainbridge.

30. Thomas Buchanan, esq. to the hon. Catharine Abercrombie, youngest daughter of the late sir R. Abercrombie.

#### DEATHS in the year 1811.

Jan. 7. Alexander Brodie, esq. of Carey-street.

8. Sir Francis Bourgeois, historical painter.

— The wife of sir John Pinhorn, of the Isle of Wight.

13. W. T. Lewis, esq. comedian.

— Mrs. Hinckley, relict of the late Dr. Hinckley.

21. Lady Elizabeth Lee, daughter of Simon earl Harcourt, and relict of sir William Lee, bart.

22. John Lloyd, esq. banker.

23. Julia, youngest daughter of the hon. William Frederick Wyndham, brother to the earl of Egremont.

26. T. R. Nash, D.D. F.S.A. rector of Leigh.

— Steward Kyd, esq. author of many works on the laws of England.

28. Mrs. Yonge, relict of the late Dr. Yonge, bishop of Norwich.

— Mrs. Woodthorpe, wife of H.W. Woodthorpe, esq. town clerk of London.

30. R. S. Jacques, esq.

Feb. 1. William Cookson. esq.

— The right hon. sir Hercules Langrishe, bart.

2. John Sutherland, esq.

— Atkinson Bush, esq.

5. The wife of John Sidney, esq. of Penshurst castle.

— Mrs. Parsons, well known by her literary works.

7. Rupert Clark, esq.

9. Rev. F. H. Papendick, M. A.

— Rev. Nevil Maskelyne, D.D. F.R.S. astronomer royal.

10. The hon. Simon Fraser.

12. The right hon. John Smyth.

18. His excellency the duke of Albuquerque.

25. Henry Hope, esq.

Feb. 27. Elizabeth countess of Cavan.

March 3. The hon. H. E. Nugent, second son of the earl of Westmeath.

4. Mrs. Lyell, grandmother of the earl of Delawar.

6. Gored by a furious bull, Mr. Rogers, a cadet at Woolwich.

7. Rev. H. M. Schutz, the oldest of the king's chaplains.

9. Rev. William Piggot, rector of Edgmond and Chetwin, Shropshire.

11. Lady Wilmot, relict of the late sir Robert.

12. Rev. John Brereton, prebendary of Salisbury.

15. Olivia Grears, of Whitehaven, aged 104.

16. General Loftus Tottenham, in his 95th year.

21. Rev. J. Conant, of St. Peter's, Kent.

25. The wife of Benjamin Travers, esq.

27. The right hon. lady Gardner.

28. Sidky Effendi, chargé des affaires of the Sublime Porte.

April 1. Rev. Thomas Butler, LL.B. rector of Ockford Fitzpaine, Gloucestershire.

— The hon. Mrs. Cholmondeley, relict of the late hon. and rev. Robert Cholmondeley.



5. At the age of 75, Robert Raikes, esq. the institutor of Sunday-schools.

7. Sir William Addington, knt. formerly a magistrate at the office, Bow-street.

13. Mrs. Hawkes, wife of Mr. Thomas Lakin Hawkes.

17. Rev. H. J. Rider, B. A. of Buckingham.

19. Rev. Thomas Lambard, brother of Multon Lambard, esq. of Seven Oaks.

21. At Ackworth, a stranger, leaving behind him 80 l. Just before he expired, he said his name was William Wilson, and that he was 21 years of age.

26. In his 86th year, Richard Pownall, esq.

— Sir James Murray Pulteney, bart. His death was occasioned by an accident while shooting.

May 5. In his 79th year, Robert Mylne, esq. architect.

6. William Boscawen, esq. of the victualling office.

7. In his 80th year, Richard Cumberland, esq. well known in the literary world.

8. The wife of the rev. J. Hall, vicar of Chew Magna, Somersetshire.

14. Anthony Ashley Cooper, earl of Shaftesbury.

22. Mr. George Robinson, bookseller in Paternoster-row.

— Mr. J. Holland of Cheapside, by a flash of lightning.

23. Viscount Longueville.

27. Robert Bisset, esq. late commissary-gen. to the forces at home.

31. Lord viscount Melville.

June 1. The lady of the hon. Thomas Bowes.

2. Lady Gordon, wife of the rev. sir Adam Gordon.

5. Rev. John Markham, A. M. minister of Northhill, Bedfordshire.

16. The hon. Ch. Bagenal Agar.

17. The rev. Richard Dodd, M. A. brother of Dr. Will. Dodd who was executed for forgery.

23. Right hon. Ursula Mary, viscountess Sidmouth.

26. The right hon. sir John Anstruther.

— Philip Rashleigh, esq. F.R.S. and many years M.P.

30. Sir Edward Dering, bart.

July 2. Killed by lightning in the parish of Brinkworth, Wilts, William Grimman, James Wheale, and Reuben Vizard.

3. The hon. baron Dimsdale, banker, Hertford.

4. Sir Sitwell Sitwell, bart.

7. Rev. Ralph Price, only brother of sir Charles Price.

11. Mr. Joseph Halfpenny, an eminent draughtsman at York.

18. Rev. Lewis Mercier, pastor of a French church in London, and a very eloquent preacher.

18. Right hon. gen. Fox, brother of the illustrious statesman, C. J. Fox.

26. The lady of sir William Skeffington.

27. Marquis Townshend.

29. His grace the duke of Devonshire.

— Aged 60, Victor Emanuel, king of Sardinia, 17 years after his expulsion from the throne.

Aug. 1. Hon. Catharine Gordon Byron, mother of the right hon. George lord Byron.

3. Mary, wife of William Franklin, the son of the celebrated Dr. Franklin.

6. Rev. Aston Smith, secretary to the Portuguese ambassador, by a fall from his horse.

8. Benjamin, son of the rev. John Charlesworth of Ossington, Nottinghamshire.

11. Mrs. Dodson, widow of the late Michael Dodson, esq.

12. Rev.

12. Rev. Mr. Spencer, a popular preacher at Liverpool, drowned as he was bathing.

17. Rev. Dr. Pearson, rector of Rempstone, Nottinghamshire.

20. Mr. Thomas Hood, bookseller, London.

25. The wife of Dr. White, canon of Christ church.

27. Aged 88, Mrs. Margaret Burnet, widow of Thomas Burnet, esq. surgeon, who was the last of the family of bp. Burnet.

29. Lady Bickerton, relict of the late admiral sir R. Bickerton.

30. In his 77th year, John Cric-kett, esq. marshal of the high court of admiralty.

31. Mr. Astell, game-keeper to earl Spencer. See Public Occurrences.

— J. Mills, esq. one of the persons who survived their sufferings in the Black Hole of Calcutta.

*Sept. 1.* Peter Baillie, esq. eldest son of Evan Baillie, M. P. esq.

4. Aged 109, at Hubberstone, near Milford, Mary Martin. Till within a month of her death she never kept her bed on account of illness.

5. Rev. Edward Kimpton, author of a family bible, and several works in science.

7. John Hanson, esq. of Strange-ways Hall, near Manchester. See Ann. Reg. vol. 1809.

9. Sir William Mordaunt Milner, bart.

17. Most highly respected, the rev. Matthew Raine, D.D. master of the Charter-house.

22. Mrs. Wakefield, widow of the rev. Thomas Wakefield, late of Richmond.

23. Aged 92, Sarah, relict of the late James Graham, esq. and mother of the honourable Mr. baron Graham.

26. J. Billingsley, esq. author of

“The Agricultural Survey of the County of Somerset.”

29. In his 83d year, Thomas Percy, D.D. bishop of Dromore, in Ireland.

*Oct. 2.* Sir Hervey Smith, bart. last surviving officer present at the death of general Wolfe.

10. Lady Louisa Hartley, sister of the late earl of Scarborough.

11. Rev. J. Banister of Wareham.

14. Hon. Louis Duff, brother of the late earl of Fife.

15. Sir N. Holland, bart. of Cranbury-house, Winchester.

18. In her 90th year, Mrs. Elizabeth Brand, sister of the late Tho. Brand Hollis, esq. of the Hyde, near Ingatestone.

20. The wife of Mr. Brooks in the Strand.

— Mary Ann, daughter of Mr. Munden the comedian.

25. Capt. John Stewart of the Sea-horse frigate.

29. Thomas Hughan, esq. M. P. whose marriage we mentioned in the foregoing pages.

*Nov. 5.* The hon. and rev. Richard Byron, third son of the fourth lord Byron.

6. The sister of sir John Wyldbore Smith, bart.

13. In his 84th year, the rev. Thomas Ludlam, M. A.

22. Aged 98, Mrs. Holt, relict of the late J. Holt, esq.

23. James Hill, esq. banker, of Uppingham.

— L. P. Bouverie, third son of the earl of Radnor.

24. The wife of William Esdaile, esq. of Clapham.

25. Rev. W. Talbot, rector of Elmset, aged 91.

26. Sir Thomas Tyrwhitt Jones, bart. M. P. for Shrewsbury.

27. Charles Lambert, esq. editor of Chandler's Life of Bp. Waynflete.

27. Andrew Meikle, the inventor of the improved threshing-mill; and on the 29th his son George Meikle.

28. Joseph Jones, esq. of the house of Jones, Lloyd, and Co. bankers.

30. Lady Lawson, relict of sir Wilfrid Lawson, bart.

— At Glasgow, the rev. James Graham, author of "The Sabbath," a poem.

*Dec. 3.* The wife of Nathaniel Conant, esq. and the grand-daughter of the celebrated rev. William Whiston.

6. Rev. William Greenwood, author of a poem "Written during a Shooting Excursion in the Moors."

7. Elizabeth, the wife of George Meyer, esq.

9. The dowager viscountess Hereford.

10. Aged 90, Mrs. Mary Flower, mother of sir Charles Flower, bart.

11. Rev. Thomas Broughton of Bristol.

13. The lady of sir John Perring, bart. and alderman.

15. In his 82d year, sir Wadsworth Busk, knt.

16. Dr. Charles Moss, lord bishop of Oxford.

17. In his 72d year, Mr. Antes, author of "Travels in Egypt."

— Mrs. Grant, at an advanced age, the mother of the master of the rolls.

20. Anne Maria, youngest daughter of the very skilful and benevolent oculist, James Ware, esq.

21. Aged 90, sir P. Parker, bart. admiral and commander-in-chief of the fleet.

Lately, Mr. Coleman, serjeant-at-arms to the house of commons.

28. The dowager countess Stanhope, mother to the present earl, at the age of 93; a lady of high in-

tellectual attainments, and distinguished moral worth.

30. G. W. Thelluson, M. P. for Barnstable.

— Dr. P. Wilson, formerly professor of astronomy in the university of Glasgow, and an eminent letter-founder.

## PROMOTIONS.

*War-office, Jan. 28.* Laurence Sullivan, esq. appointed superintendant of military accounts, *vice* Thomas Dods, esq. resigned.

*Carleton-house, Feb. 5.* His royal highness the prince regent made the following appointments to his household:

Sir Henry Halford, bart. M. D. physician in ordinary.

Major-gen. Turner, 3d guards, assistant private secretary; and

Gen. Wm. Kepper, major-gen. Francis Thomas Hammond, and lieut.-col. Wm. Congreve, equerries.

*Foreign-office, Feb. 15.* Lord Wm. Bentinck, envoy extraordinary and minister plenipotentiary to the court of Palermo.

Augustus John Foster, esq. envoy extraordinary and minister plenipotentiary to the United States of America.

*Whitehall, March 9.* David Hume, esq. advocate, one of the six ordinary clerks of session in Scotland, *vice* John Pringle, esq. deceased.

James Fergusson, jun. esq. one of the four commissioners of Edinburgh, *vice* John Anstruther, esq. resigned.

James Wedderburne, esq. advocate, sheriff depute of the shire of Peebles, *vice* James Wolfe Murray, esq. appointed judge at the admiralty court.

Joshua Henry Mackenzie, esq. advocate, sheriff depute of the shire of

of Linkithgow, *vice* David Hume, esq.

John Anstruther, esq. advocate, sheriff depute of the shire of Fife, *vice* David Moneyppenny, esq. solicitor-general.

*Foreign-office, March 19.* William Harding Read, esq. consul-general in the Azores; Louis Hargrave, esq. consul in the Balearic Islands; and Robert Staples, esq. consul at Buenos Ayres and its dependencies.

*Foreign-office, March 22.* Robert Liston, esq. ambassador extraordinary and plenipotentiary to the sublime Ottoman Porte; and Bartholomew Frere, esq. secretary of embassy at that court.

*Whitehall, March 22.* The prince regent made the following amendments upon the roll of sheriffs—*Cardiganshire*: John Brooks, of Noyard, esq.—*Carmarthenshire*: James Williams, of Edwinsford, esq.—*Denbighshire*: John Wynne, of Garthmeilio, esq.

*Whitehall, March 30.* Francis lord Napier, his majesty's high commissioner to the general assembly of the church of Scotland.

*Downing-street, April 11.* C. Maxwell, esq. governor of Sierra Leone and its dependencies.

*Whitehall, May 25.* His royal highness the prince regent has been pleased, in the name and on the behalf of his majesty, to constitute and appoint field-marshal his royal highness the duke of York to be commander-in-chief of the land forces.

*Whitehall, June 4.* R. Ward, esq. clerk of the ordnance, *vice* hon. Cropley Ashley Cowper, now earl of Shaftsbury; lieutenant-col. H. Torrens, his military secretary.

Dr. Waller physician to the garrison of Portsmouth, *vice* Meik deceased.

*War-office, June 11.* His serene highness the hereditary prince of Orange, lieutenant-col. in the army.

*War-office, June 12.* Right hon. Charles Yorke, sir Richard Bickerton, bart. *vice*-admiral of the blue: James Buller, esq.: William Domett, esq. *vice*-admiral of the white: sir Joseph Sydney Yorke, knight. Hon. Frederic Robinson, and Horatio lord Walpole, commissioners for executing the office of lord high admiral.

*War-office, July 4.* Lieutenant-col. H. Torrens, military secretary to the prince regent.

Hon. Wellesley Pole, chancellor of the exchequer for Ireland.

His royal highness the duke of Cambridge elected chancellor of the university of St. Andrews, *vice* lord Melville.

*Whitehall, July 20.* Robert viscount Melville, keeper of the privy seal of Scotland, *vice* his father deceased.

*War-office, July 30.* Gen. William earl of Harcourt, governor of Portsmouth, *vice* Fox deceased.—Major-gen. the hon. A. Hope, governor of the royal military college, *vice* earl Harcourt.—Col. G. Murray, 3d foot, lieutenant-governor of Edinburgh castle, *vice* Hope.

*Downing-street, Aug. 1.* Lieutenant-gen. R. Brownrigg, governor and commander-in-chief in the island of Ceylon.

*Whitehall, Aug. 6.* John McMahon, esq. receiver and paymaster of the royal bounty to officers' widows, *vice* Fox deceased.

*War-office, August 6.* Brevet lieutenant-general Arthur viscount Wellington, K. B. general in the army in Spain and Portugal only.

*Whitehall, Aug. 19.* His grace William Spencer, duke of Devonshire, lord-lieutenant of the county of Derby.

James Butler, esq. one of the clerks of the privy council.

*Downing-street, Aug. 19.* Lieut.-gen. sir John Cope Sherbrooke, K. B. lieutenant-governor of Nova Scotia.

*War-office, Aug. 20.* Col. J. Butler, lieut.-governor of the royal military college, *vice* Le Marchant.

Lieut.-col. George Vaughan, of the late royal invalids, governor of the fort near Fiskard in Pembrokeshire, *vice* Vaughan deceased.

*Ordnance-office, Aug. 21.* Lieut.-gen. Gother Mann, inspector-general of fortifications, *vice* gen. Morse retired.

*Downing-street, Sept. 10.* Lieut.-gen. sir George Prevost, bart. captain-general and governor in chief, and also commander of the forces, in and over the provinces of Upper and Lower Canada, New Brunswick, Nova Scotia, and the islands of Prince Edward and Cape Breton.

*Downing-street, Sept. 21.* Winchworth Tonge, esq. deputy judge advocate of the forces in Jamaica.

*Downing-street, Oct. 1.* Right hon. Henry Wellesley, ambassador extraordinary and plenipotentiary to his catholic majesty Ferdinand VII.—Charles Vaughan, esq. secretary of embassy to Spain.

Charles Stuart, George Cockburn, and John Philip Morier, esqrs. commissioners in Spanish America, to act with Spanish commissioners appointed in the name of Ferdinand VII.—Richard Belgrave Hoppner, esq. secretary.

Thomas Sydenham, esq. minister plenipotentiary at the seat of the provisional government of Portugal during the absence of Charles Stuart, esq. in Spanish America.

*Whitehall, Oct. 1.* Rob. Brownrigg, esq. lieut.-gen. governor and commander-in-chief of the British settlements in Ceylon.

*War-office, Oct. 1.* J. C. Herries, esq. commissary-in-chief at home and abroad except Ireland and the East Indies, *vice* Gordon.

Major M. René baron de Montalembert, and capt. O. A. Pierrapoint, permanent assistant quartermaster-generals; the former with the rank of lieut.-colonel, *vice* Birch; the latter with the rank of major, *vice* Montalembert.

*Whitehall, Oct. 8.* Burnet Bruce, esq. one of the four commissioners of Edinburgh, *vice* Kirkpatrick resigned.

*Whitehall, Oct. 21.* John Drinkwater, esq. a comptroller of army accounts.

*War-office, Oct. 21.* His serene highness William Frederic Henry, hereditary prince of Orange, a colonel in the army.

*Whitehall, Oct. 22.* Right hon. Charles Hope, president of the college of justice in Scotland, *vice* Blair deceased.

*Downing-street, Oct. 26.* Anthony Saint John Baker, esq. secretary of legation in America.

*Whitehall, Oct. 29.* Right hon. David Boyle, his majesty's justice clerk in Scotland, *vice* Hope.

*Whitehall, Nov. 9.* Alex. Frazer Tytler, of Woodhouselee, esq. one of the lords of justiciary in Scotland, *vice* Boyle.

*Nov. 18.* Sir H. Halford, bart. one of the physicians in ordinary to his majesty.—Dr. Baillie, one of the physicians extraordinary.

SHERIFFS appointed by the prince regent in council for the year 1811.

Bedfordshire, J. Howell, of Market-street, esq.

Berkshire, William Wiseman Clarke, of Ardington, esq.

Buckinghamshire, William Bernard, of Nether Winchendon, esq.

Cambridge and Huntingdonshire,

shire, Wm. Dunn Gardner, of Chatteris, esq.

Cheshire, Booth Grey, of Ashton Hayes, esq.

Cornwall, W. L. S. Trelawney, of Penquite, esq.

Cumberland, John Losh, of Wood-side, esq.

Derbyshire, Godfrey Meynell, of Meynell Langley, esq.

Devonshire, A. Champernowne, of Dartington, esq.

Dorsetshire, Edward Greathed, of Udden, esq.

Essex, Charles Smith, of Suttons, esq.

Gloucestershire, Rob. Gordon, of Kemble, esq.

Herefordshire, Philip Jones, of Sugwas, esq.

Hertfordshire, Rob. Taylor, of Tolmer, esq.

Kent, sir John Courtenay Honnywood, of Evington, bart.

Lancaster, S. C. Hilton, of Moston, esq.

Leicestershire, R. Norman, of Melton Mowbray, esq.

Lincolnshire, sir John Trollope, of Casewick, bart.

Monmouthshire, Hugh Powell, of Llanvihangel, esq.

Norfolk, Charles Lucas, of Filby, esq.

Northamptonsh., Walter Strickland, of Brixworth hall, esq.

Northumberland, Wm. Burrell, of Broome park, esq.

Nottingham, Thomas Wright, of Norwood park, esq.

Oxon, sir John Reade, of Shipstone, bart.

Rutlandshire, The hon. George Watson, of Rockingham castle.

Shropshire, Geo. Brooke, of Haughton, esq.

Somersetshire, John Leigh, of Combhay, esq.

Staffordshire, Jas. Beach, of the Shaw, esq.

Southampton, sir Robert Kingsmill, of Sidmonton, bart.

Suffolk, R. Pettward, of Finborough, esq.

Surrey, G. Tritton, of West Hill, Wandsworth, esq.

Sussex, Wm. Dearling, of Donnington, esq.

Warwickshire, F. Newdigate, of Arbury, esq.

Wiltshire, Harry Biggs, of Stockton, esq.

Worcestershire, T. Hawkes, of Dudley, esq.

Yorkshire, R. Watt, of Bishop Burton, esq.

#### SOUTH WALES.

Brecon, Walter Wilkins, jun. of Alexanderstone, esq.

Carmarthenshire, Hamlyn Williams, of Edwinsford, esq.

Cardiganshire, William Brookes, of Noyart, esq.

Glamorgan, sir R. Lynch Blosse, of Gabalva, bart.

Pembrokeshire, Lewis Mathias, of Langwarren, esq.

Radnor, John Cheesment Severn, of Languenlo, esq.

#### NORTH WALES.

Anglesey, Hen. Williams, of Trearddur, esq.

Carnarvonshire, Thomas Parry Jones Parry, of Madryn, esq.

Denbighshire, John Wynne, of Garthwilo, esq.

Flintshire, sir G. W. Prescott, of Ewloe, bart.

Merioneth, Hugh Reveley, of Brynngmin, esq.

Montgomeryshire, Edward Heyward, of Crooswood, esq.

## PUBLIC PAPERS.

MESSAGE OF HIS IMPERIAL AND  
ROYAL MAJESTY.

**S**ENATORS, I have ordered my minister for foreign affairs to communicate to you the several circumstances which occasion the junction of Holland with the empire. The orders published by the British council in 1806 and 1807 have rent in pieces the public law of Europe. A new order of things governs the universe. New securities becoming necessary to me, the junction of the mouths of the Scheldt, of the Meuse, the Rhine, the Ems, the Weser, and the Elbe, with the empire, the establishment of an inland navigation with the Baltic, have appeared to me to be the first and most important. I have ordered the plan of a canal to be prepared, which will be executed in the course of five years, and will connect the Seine with the Baltic. Those princes will be indemnified who may find themselves circumscribed by this great measure, which is become absolutely necessary, and which will rest the right of my frontiers upon the Baltic. Before I came to this determination, I apprised England of it. She was acquainted that the only

means for preserving the independence of Holland was to retract her orders in council of 1806 and 1807, or to return at last to pacific sentiments. But this power was deaf to the voice of her interests, as well as to the cries of Europe. I was in hopes of being able to establish a cartel for the exchange of prisoners of war between France and England, and to avail myself, in consequence of the residence of two commissioners at Paris and London, to bring about an approximation between the two countries. I have been disappointed in my expectations. I could find nothing in the mode in which the English government negotiated but craft and deceit.—The junction of the Valais is an effect long intended of the immense works which I have had performed in the Alps within the last ten years. At the time of my act of mediation, I separated the Valais from the Helvetic League, foreseeing then a measure of such advantage to France and Italy.—So long as the war continues with England, the French people must not lay down their arms.—My finances are in a most flourishing state. I can meet all the expenses which this immense empire requires,

quires, without calling upon my people for fresh sacrifices.

(Signed) NAPOLEON.

Palace of the Thuilleries, Dec. 10, 1810.

By order of the emperor,  
H. B. DUKE OF BASSANO.

After the message was read, his excellency the duke of Cadore, minister for foreign affairs, laid the following report before the sitting :

REPORT OF THE MINISTER FOR  
FOREIGN AFFAIRS TO HIS MA-  
JESTY THE EMPEROR AND KING.

Sir,—Your majesty has exalted France to the highest point of greatness. The victories obtained over five successive coalitions, all promoted by England, have produced these consequences ; and it may be said, that we are indebted to England for the glory and power of the great empire. At every opportunity your majesty made offers of peace, and without considering whether it would be more advantageous than war : you looked, sir, only to the happiness of the present generation, and you always showed yourself ready to sacrifice to it the most flattering prospects of the future. It was in this spirit that the peace of Campo Formio, of Luneville, and of Amiens, and subsequently of Presburg, of Tilsit, and of Vienna, were concluded ; it was in this spirit that your majesty has five times sacrificed to peace the greater part of your conquests. More anxious to adorn your reign by the public happiness than to extend the frontiers of your empire, your majesty set bounds to your greatness ; while England, keeping the torch of war continually alive, seemed to conspire against her al-

lies as well as herself to create the greatest empire that has existed for twenty centuries.—At the peace of 1783, the power of France was strong in the family compact, which closely bound Spain and Naples with her political system.—At that of Amiens, the respective strength of the three great powers was increased by the addition of twelve millions of Polish inhabitants. The houses of France and Spain were essentially hostile to each other, and the people of the two countries were removed further than ever from each other by the difference of their manners. One of the great continental powers had her strength less diminished by the junction of Belgium with France, than it was increased by the acquisition of Venice ; the secularizations also of the Germanic body added more to the power of our rivals. Thus, at the conclusion of the treaty of Amiens, the relative force of France was less than at the peace of 1783, and much inferior to that to which the victories obtained during the wars of the two first coalitions gave her a right to expect. This treaty, however, was scarcely concluded, when the jealousy of England displayed itself strongly. She took the alarm at the continually increasing prosperity and riches of the interior of France ; and she hoped that a third coalition would wrest Belgium, the provinces of the Rhine, and Italy, from your crown. The peace of Amiens was broken ; a third coalition was formed ; three months after it was dissolved by the treaty of Presburg. England saw all her hopes blasted : Venice, Dalmatia, Istria, the whole of the Adriatic coast, and that of the kingdom of Naples, fell into the power of France. The Germanic



Germanic body, established upon principles contrary to those upon which the French empire was founded, dropped to pieces; and the system of the confederation of the Rhine transformed into close and necessary allies the same nations who in the first coalitions marched against France, and united them indissolubly to herself by their common interests. The peace of Amiens then became in England the object of the regret of every statesman. The new acquisitions by France, which there were no hopes of wresting from her at any future time, rendered the fault that was committed more evident, and showed the full extent of it. An enlightened man, who during the short interval of the peace of Amiens visited Paris, and had learned to know France and your majesty, was put at the head of affairs in England. This man of genius comprehended the situations of the two countries. He perceived that it was not in the power of any state to compel France to retrograde; and that the true policy consisted in arresting her progress. He perceived, that by the success obtained over the third coalition the question was changed; and that it must no longer be thought of contesting with France the possessions that she acquired by victory; but that it was necessary, by a speedy peace, to prevent those new acquisitions which the continuation of the war would render inevitable. This minister did not conceal any of the advantages which France derived from the erroneous policy of England; but he had in view those which she might still acquire. He thought that England would gain much, if none of the continental powers lost more. He directed his policy to

disarm France, and to have the confederation of the North of Germany recognised in opposition to the confederation of the Rhine. He perceived that Prussia could only be preserved by peace; and that on the fate of that power depended the system of Saxony, of Hesse, of Hanover, the fate of the mouths of the Ems, of the Jade, of the Weser, of the Elbe, of the Oder, and of the Vistula, ports necessary for the commerce of England. Like a great man, Fox did not deliver himself up to useless sorrow for the rupture of the treaty of Amiens, and losses henceforth irreparable; he wished to prevent greater, and he sent lord Lauderdale to Paris. The negotiations began, and every thing led to hope that they would have ended happily; when Fox died. From that time they languished. The ministers were neither sufficiently enlightened nor temperate to perceive the necessity of peace. Prussia, excited by that spirit which England infused into all Europe, put her troops to march. The imperial guard received orders to set out; lord Lauderdale appeared terrified at the consequences of the new events that were preparing. It was proposed to sign the treaty; that Prussia should be included in it, and that the confederation of the North of Germany should be recognised. Your majesty, with that spirit of moderation of which you have given such frequent examples to Europe, consented. The departure of the imperial guard was delayed for some days: but lord Lauderdale hesitated; he thought it necessary to send a messenger to his court, and that messenger brought him an order to return. In a few days after, Prussia no longer existed as a preponderating

rating power. Posterity will consider that period as one of the most decisive in the histories of England and France. The treaty of Tilsit put an end to the fourth coalition.—Two great sovereigns, lately enemies, united in offering peace to England; but that power, who, notwithstanding all the forewarnings she had received, could not bring herself to subscribe to conditions which would leave France in a more advantageous situation than she was after the treaty of Amiens, would not enter into a negotiation, the unavoidable consequence of which would have been to place France in a situation still more to her advantage.—We refused; it was said in England, a treaty which maintained the North of Germany, Prussia, Saxony, Hesse, and Hanover, independent of France, and which secured all the outlets of our trade: how, then, can we agree at this time to conclude with the emperor of the French, when he has extended the confederation of the Rhine to the North of Germany, and to found on the banks of the Elbe a French throne, a peace which, by the course of things, whatever the stipulations might be, would leave under his influence Hanover, and all the ports of the north, those principal arteries of our commerce?

[The exposé dwells at some length upon the coalitions—declares that a proposition was made to our government to recal the orders in council, upon condition that the independence of Holland should be respected by the French; which was rejected—recommends the annexation of the Hans Towns to the empire: the repairing the canal between Hamburg and Lubeck, and the construction of a new canal which would unite the

Elbe to the Weser, and the Weser to the Emms—advises the continuance of the Berlin and Milan decrees (we thought they had been rescinded), and the opposition of the continental blockade to the maritime one, from which the most auspicious results are predicted.]

(Signed) CHAMPAGNY,  
duke of Cadore.

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ELEVENTH REPORT FROM THE COMMITTEE ON THE PUBLIC EXPENDITURE, &c. OF THE UNITED KINGDOM.

*Hon. G. Villiers, paymaster of marines.*

Judging it expedient to pursue their inquiries into the several subjects which engaged their attention during the former session, for the purpose of laying before the house such further information as has been received upon each to the close of the present session, they proceed to submit the result in the order of their several reports.

Upon the subject which forms the first part of the fifth, it appears, that the original bond given by the hon. George Villiers was discovered in June 1810, by one of the clerks of the admiralty, employed to arrange the whole of the marine papers, *in the midst of one of the bundles of marine monthly returns.*

Mr. Bicknell, solicitor to the admiralty, produced to your committee the proceedings for recovering the debt due to his majesty on Mr. G. Villiers's accounts, as paymaster and inspector of his majesty's marine forces, which are printed in the appendix.

Upon the recommendation from your committee, that the office of paymaster of marines should be abolished, and the duties transferred to the navy pay-office, reference

ference was made from the commissioners of the treasury to the treasurer of the navy, which gave rise to correspondence and discussions which will be found in the appendix.

After perusing and considering these papers, your committee see no reason to alter the opinion given in their fifth report, p. 6, with regard to the abolition of that office.

An account of the proceedings adopted for the recovery of the "debt," (which amounts to 264,507*l.*) is published in this report. By this statement it appears that 56,492*l.* 10*s.* resulting from the sale of estates, &c. has already been received; and it adds, under the head "to be expected," the sum of 79,749*l.* 17*s.*—These two sums, that is, including the large one which is to be "expected" to be received, make together 136,212*l.* 15*s.*

#### PROTEST

By all the royal dukes against the proposition, submitted to the prince of Wales, for limiting and restraining his royal highness in the exercise of the prerogative, while called upon to discharge as regent the royal authority.

Sir,—The prince of Wales having assembled the whole of the male branches of the royal family, and having communicated to us the plan intended to be proposed by his majesty's confidential servants, to the lords and commons, for the establishment of a restricted regency, should the continuance of his majesty's ever-to-be-deplored illness render it necessary; we feel it a duty we owe to his majesty, to our country, and to ourselves, to enter our solemn protest against measures we consider as perfectly

unconstitutional, as they are contrary to and subversive of the principles which seated our family upon the throne of this realm.

(Signed)

Frederick	Augustus Frederick
William	Adolphus Frederick
Edward	William Frederick.
Ernest	

*Wednesday night, 12 o'clock,  
Dec. 19, 1810.*

*R. H. Spencer Perceval, &c. &c. &c.*

#### ANSWER.

Mr. Perceval has the honour of acknowledging the receipt of a solemn protest, in the name of all the male branches of the royal family, against the measures which his majesty's confidential servants have thought it to be their duty to communicate to his royal highness the prince of Wales, as intended to be proposed to the two houses of parliament, for the establishment of a restricted regency during the continuance of his majesty's ever-to-be-lamented indisposition; and stating that their royal highnesses consider these measures as perfectly unconstitutional, as contrary to and subversive of the principles which seated his majesty's royal family upon the throne of this realm.

Mr. Perceval has felt it to be his duty to submit this communication without loss of time to his majesty's servants; and deeply as they lament, that the measure which they have thought themselves bound to propose, shall appear to their royal highnesses to deserve a character so directly contrary to that which it has been their anxious endeavour should belong to it, they must still, however, have the consolation of reflecting, that the principles upon which they have acted obtained the express and concurrent support  
of

of the two houses of parliament in the years 1788 and 1789: that those houses of parliament had the high satisfaction of receiving, by the command of his majesty, after his majesty's recovery, his warmest acknowledgements for the additional proofs they had given of their affectionate attachment to his person, and of their zealous concern for the honour and interests of his crown, and the security and good government of his dominions: and that the uninterrupted confidence which his majesty was pleased to repose, for a long series of years, in the persons who proposed the measures which were grounded on those principles, entitles his majesty's servants, in their judgement, still further to conclude, that those principles and measures had the sanction of his royal approbation.

*Downing-street, Dec. 20, 1810.  
His royal highness the duke of York,  
&c. &c. &c.*

#### PROTESTS,

On the rejection of the previous question moved on the second resolution respecting the regency.

1. Because it is always unwise, and often unsafe, to assert abstract principles, on the truth of which the proceeding proposed to be adopted does not exclusively rest: and on the present occasion, it seems peculiarly unnecessary to exact a compliance with speculative and questionable premises, to establish a conclusion in which all seem practically to concur.

Those who have regarded the prince as having a right to assume the royal functions on the declared incapacity of his father, have always held that the exercise of that right could not be called into ac-

tivity otherwise than by the adjudication of the estates of the realm.

Those who have maintained a right in the two houses, have admitted the expediency of conferring the appointment on his royal highness the prince of Wales.

Finally, those who deny any positive legal right, either in the prince to assume, or the estates to confer the exercise of the royal authority, do nevertheless approve of the estates offering, and of the prince accepting, the office of regent on the present melancholy occasion.

To select, therefore, topics of disagreement among men who are disposed to concur in the practical conclusion of supplying the defect in the exercise of the royal functions, by a regent, in the person of his royal highness the prince of Wales, seemed to us repugnant to the maxims of prudence, and directly at variance with those examples of moderation and temper, which, at remoter periods of our history, as well as at the glorious revolution of 1688, had been held out to us by the conciliatory policy and wisdom of our ancestors.

2. Because the agitation of the question was calculated to produce delay; and delay in supplying the means of exercising the royal authority, must either be injurious to the public service, or subversive of the constitution of this kingdom. For the functions of the executive government cannot be discontinued during a period of extensive war and great national embarrassment, without injury to the public welfare; and the duties of the kingly office cannot, on the other hand, be discharged by those who usurp the royal authority, unsanctioned by the laws, the consent of the estates, or the knowledge of their sovereign,

sovereign, without imminent danger to the constitution of the country.

Cumberland	Holland
Clarence	Jersey
Kent	Lauderdale
Sussex	Ponsonby
Gloucester	Bedford
Charlemont	Albemarle
Granard	Keith
Yarborough	Upper Ossory
Erskine	Hastings
Fitzwilliam	Dundas
Hereford	Ailsa
Thanet	Spencer
Donoughmore	Norfolk
Somerset	Say and Sele
Dutton	Rosslyn
Scarborough	Grawley
Cholmondeley	Hutchinson
Carlisle	Suffolk and
Stafford	Berks.

On the rejection of the amendment to the third resolution.

1. Because no objection has been urged to the amendment, which does not in greater force apply to the original resolution, and to every method that can be devised for supplying the defect of the personal exercise of the royal authority in the present emergency.

2. Because an address, such as is proposed in the amendment, is conformable to the practice of our ancestors at the glorious æra of the revolution, who, before they declared the throne to be vacant, requested the prince of Orange, by address, to continue to administer the government of the country; and after declaring the vacancy of the throne, did, by declaration, proceed to an immediate revival of the royal authority.

3. Because an address to his royal highness the prince of Wales is the most plain, direct, and above

all expeditions method of supplying the defect in the exercise of the royal authority; and is free from all appearance of fraud, as well as the assumption of powers not vested by the law and constitution of our country in the two houses of parliament.

4. Because, though we have heard it argued in debate, that the mode as proposed, of proceeding by bill, afforded stronger security for the concurrence of his royal highness the prince of Wales in such measures as the wisdom of the two houses may recommend for the care of his majesty's person, and for the reputation of the regent's authority, we have hitherto learned from no one, that there existed any circumstance in the station or character of his royal highness the prince of Wales, which could suggest the propriety of desiring stronger security than our ancestors exacted from the prince of Orange, for his concurrence in such laws as they deemed necessary for the maintenance and safety of the liberties of the people.

5. Because, if we were capable of entertaining the unfounded suspicion, that his royal highness the prince of Wales had an inclination to withhold his assent to such measures as the two houses of parliament were disposed to suggest, for the security of his majesty's person, or for the regulation of the regent's authority, we should be of opinion, that his royal highness's accepting the power of conducting the government in consequence of an address, in which such regulations are stated, would afford better security than an act of parliament, which, if passed in the manner proposed, must at least appear to us of doubtful effect, after the legislature has declared the act enacting  
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the attainder of the duke of Norfolk to be void and null—the commission under which it was passed not having been signed by his majesty's hand, or having the usual words indicating the royal assent.

Clarence	Norfolk, E. M.
Kent	Thanet
Sussex	Dutton
Gloster	Clifton
York	Grantley
Cumberland	Erskine
Cambridge	Fitzwilliam
Hereford	Keith
Say and Sele	Upper Ossory
Donoughmore	Hastings
Spencer	Dundas
Lansdowne	Ailsa
Cholmondeley	Charlemont
Scarborough	Granard
Stafford	Yarborough
Vassal Holland	Headfort
Jersey	Butler
Lauderdale	Rosslyn
Ponsonby	Hutchinson
Bedford	Suffolk & Berks
Albemarle	Carlisle.

#### AGAINST THE THIRD RESOLUTION.

1. Because the proposal contained in the resolution, as explained in debate—that the two houses should direct the royal assent to be given by a bill or bills under a commission, to which the great seal, by their direction and authority, is to be affixed—seems to us a solecism in language, and a violation of the common and statute law of this kingdom.

If the assent is given by the direction of the two houses of parliament, without any person being empowered to give or withhold, at his discretion, that assent, it is in substance the assent of the two branches of the legislature to their own act; and it can neither deserve the name, nor obtain the authority, of the assent of the king, or of any

person representing, on his behalf, the third branch of the legislature.

By the statute of the 33d of Henry VIII. and more expressly by the 1st of queen Mary, session the 2d, it is provided, declared, and enacted, "That the royal assent or consent of the king or kingr of this realm to any act of parliament ought to be given in his own royal presence, being personally present in the higher house of parliament; or by his letters patent under a great seal, as signed with his hand, and declared and notified in his absence to the lords spiritual and temporal, and the commons assembled together;"—and the omission of the usual words in the commission, and the substitution of the king's stamp for his royal signature, are, by the statute of queen Mary, declaring the attainder of the duke of Norfolk of none effect, deemed sufficient to render void and null the assent given under that commission, although the great seal was annexed thereunto.

By the 13th of Charles II. it is further declared, that no act or ordinance with the force or virtue of a law can be made by either or both houses of parliament.

We conceive, therefore, on the one hand, that a commission so created, and so limited, can never by any fiction of law, or annexation of seal, convey the royal assent in defiance of the obvious meaning of language, and the strict and legal definition of the term;—and on the other hand, till the royal assent be obtained, we cannot, in violation of the fundamental principles of the constitution, and in the face of a declaratory statute, give to the act or ordinance of the two branches of the legislature only, the force and virtue of a law.

2. Because in no instance while the government of this country has been acknowledged to be in king, lords, and commons, has any statute or law been enacted without the concurrent assent of the three branches of the legislature.

3. Because the proceedings of the two houses in 1788 are incomplete, and cannot therefore be entitled to the weight and authority of a constitutional precedent.

The adherence to precedent, so wisely enforced by the theory and practice of our constitution, is justified by considerations which cannot attach to incomplete transactions, viz. the union of authority and experience, and a confidence in the wisdom of a design founded on a view of the benefits resulting from the execution of it.

The opinions therefore of the majorities and minorities of 1788-9 deserve such attention as the respective number and characters of those who composed them are calculated to command; but they cannot obtain the force and value of a constitutional precedent, which can only be conferred on a measure by the practical knowledge and experience of its effects.

4. Because the conduct of the Irish parliament in 1789 forms as binding a precedent, and affords as salutary an example to the two houses of the imperial parliament, as the proceedings of the estates of Great Britain on the same occasion—and the two houses of parliament in Ireland concurred in a joint address, requesting his royal highness the prince of Wales “to take upon him the government of the realm of Ireland during his majesty’s indisposition”—and “to exercise and administer, according to the laws and constitution of that kingdom, all regal powers, juris-

dictions, and prerogatives, to the crown and government thereof belonging.”

Clarence	Dundas
Sussex	Ailsa
Gloster	Headfort
Kent	Butler
York	Charlemont
Cumberland	Granard
Cambridge	Yarborough
<i>For 2d, 3d, and</i>	<i>Upper Ossory</i>
<i>4th reasons,</i>	<i>Erskine</i>
Lansdowne	Fitzwilliam
Holland	Thanes
Jersey	Hereford
Lauderdale	Donoughmore
Ponsonby	Spencer
Bedford	Norfolk, E. M.
Albemarle	Dutton
Keith	Rosslyn
Hastings	Clifton
Grantley	Hutchinson
Cholmondeley	Stafford
Suffolk & Berks	Scarborough.
Carlisle	

#### SPAIN.

The following manifesto of the cortes general and extraordinary, to the Spanish nation, explains the views, policy and feelings, of that people.

Spaniards!—If the cortes extraordinary, assembled by your free and deliberate choice; and which has been installed solemnly in the royal isle of Leon, has not before this day regularly addressed you, it was from the conviction it felt that its character and object should manifest themselves to you by its provident, just, and necessary decrees and declarations, rather than by studied professions and declarations. To act, and not to profess, was its sacred duty. Applying itself with undivided heart and hand to the regeneration and well-being of the state, the congress, declaring and acknowledging the sovereignty of

of the nation; solemnly swearing in the name of all the people to preserve the same for Ferdinand VII. king of Spain and the Indies; sanctioning the constitutional division of three estates; abolishing arbitrary and unjust rules; re-establishing the freedom of thought in its original purity; restoring to the citizen one of the most sacred rights of political liberty—that of a free press; forming a new government on a compact and vigorous system; and endeavouring to strengthen the edifice of the state by constitutional laws, which they are engaged in framing:—in these urgent and laudable occupations the cortes were diligently engaged, when a novel and most extraordinary rumour, vague and hardly credited in its commencement, but soon, perhaps, through the machinations of the common enemy, obtaining extensive credit, resounded in all parts of Spain, as well as in many other quarters, and imperiously called for the most serious attention on the part of the national congress.

Beware, O Spaniards! that the tyrant of Europe, panting to subjugate us, now adds treachery and artifice to the unheard-of violence by which he has goaded you into this defensive war; and, considering the ardent force of your love and loyalty for your adored sovereign, he endeavours to contravene these sentiments, by insidiously pretending to make restitution to the outraged Spaniards, and to compassionate the state to which he has now reduced them. But think not, Spaniards! that tyrants ever are beneficent without some insidious motive. Ferdinand may be sent to Spain, but he will be surrounded by armed Frenchmen, and by Spaniards who suffer themselves

to be seduced by the artifice, or intimidated by the menaces, of Bonaparte. He would come as one of the family of this monster, either by means of an union with a foreign princess, or as an adopted son of Napoleon; he would come to administer to the will of this execrable protector, by endeavouring to obtain a peace of his dictation, or, in other words, to effectuate the ruin and subjugation of the peninsula. Such is the substance of these rumours; considerations in which are at once compromised the honour and decorum of your king—the independence and sovereignty of the nation—and the dignity and salvation of the monarchy. The extravagant request of adoption, which is already said to have been made in the name of Ferdinand, and which is inserted in those public papers in the pay of Bonaparte, leaves no room to doubt of the design of the usurper to degrade and vilify their lawful sovereign in the eyes of Spaniards, for the purpose of forwarding his iniquitous designs. Thus you see the moment is arriving, perhaps is not far distant, when the nation may be placed in a situation as perilous and complicated as that which gave birth to its heroic insurrection, and in which it would have to display a similar grandeur and nobleness of character.

The cortes, in considering this most important subject, are fully aware of the grand character of the people whom they represent, of the worthy and noble example which they hold forth to the rest of Europe, and of the splendid hopes opposed to the gloomy horrors which are involved in this terrible contest. They feel that Spaniards must be aware, that the war into which the outrageous



tyranny of the Gallic despot has goaded them, must be carried on without compromise or relation, and with accelerated force. What can be the object of such a species of conciliation? It will not, Spaniards, be for that of your happiness and repose, or to make reparation for the various insults and accumulated injuries inflicted upon you! No: the souls of tyrants are never actuated by the impulse of virtue. Napoleon is instinctively malignant. This has been terribly exemplified with respect to us already. He again seeks to enslave us, to render us the unhappy instrument of his insatiable ambition. Your admirable patriotism, courage, and constancy, have hitherto disconcerted his iniquitous projects. Spain has successfully resisted him, to whose triumphal car all the kings of Europe succumb. The subtle tyrant has self-consulted a project for subjugating Spain; he feels, the ruling virtue of genuine Spaniards is that of loyalty to their sovereigns. He beholds the unpractised Ferdinand in his power; he conceives the expedient of sending him to Spain in the insidious character of an adopted son; but in effect as a degraded instrument. He knows his influence, and hopes to bring about a tranquil submission by his means. He sees that America already acknowledges his sway; but should this illustrious and devoted missionary be unsuccessful, he sees at least that the Spaniards will be divided, and these seeds sown of dissension and distrust, and thinks that the wavering and unprincipled among us will excuse their desertion, under the pretext of adhering to the fortunes of Ferdinand.

But, Spaniards, all these insidious machinations will vanish like the mists before the sun of your

rectitude and true interests. Let us continue loyal to Ferdinand. What nation has ever given such proofs of loyalty to its sovereign? [Here a variety of signal instances are cited.] But, suppose Bonaparte should prevail on the captive prince to enter Spain; will he be the same, the adored monarch of our choice? No; Ferdinand Napoleon can never be Ferdinand de Bourbon. No; he would be the servile instrument of the Corsican Attila, encircled by atrocious Gauls, and degraded Spaniards instead of free and generous subjects. His identity would no longer exist. You would never become the deceived victims of such an illusion, and the crown which the tyrant would apparently restore, would form a new emblem of mockery and insult.

Political independence and social felicity were our objects when, at Aranjuez, we tried to seat on the Spanish throne a prince idolized by us for his amiable and benevolent disposition. Such are still the objects of the Spanish people, for which they have already sustained a three years sanguinary warfare, and have latterly convened the extraordinary cortes of the Spanish monarchy. To defend the country against its actual enemies, and to secure its future independence, is the universal wish of the people, and the sworn duty of their representatives; they wish for a monarchical constitution, but one free and equitable, as now contemplated by those representatives! Napoleon is deceived as to our real objects. Spaniards combat not for vain glory, or for undefined or unjust objects; our political independence, domestic tranquillity and freedom, and the integrity of our territories, are our real and only objects.

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Let us announce to all Europe, that Spaniards contemplate with astonishment and admiration the spirited and generous exertions of our allies. Let us express our gratitude to our brethren in America, who have with such enthusiastic loyalty asserted the cause of the mother country, and present such a striking contrast to the vile assassins of the crafty tyrant. Let us evince to the world, that the immense power of our common enemy will not avail against the impregnable barrier of your heroic virtue, though he should take advantage of the helpless situation of a young and unpractised prince, and convert him personally into the blind instrument of his atrocious projects.

The cortes, the legitimate interpreters of your wills in this terrible crisis, swear solemnly, in your name, before the Supreme Being, in presence of all the nations of the earth, and of the august and beneficent ally in particular, not to lay down their arms, nor afford the enemy a moment of repose, nor to enter into any concert or agreement with him, until he shall have previously evacuated the territories of Spain, and those of our neighbouring and illustrious ally, Portugal! Unite with us in this solemn oath, all you respectable clergy who wish to maintain the cause of our altars and our holy religion; all you ennobled Spaniards, if you pretend, in imitation of your ancestors, to defend the throne and the country; and all you industrious and commercial citizens, and proprietors of every description, repine not at any sacrifices you may make for objects so justly dear to you: recollect and consider the barbarous and profane atrocities of your relentless enemy!

If any amongst you prefer wearing the mark of inglorious slavery in your unmanly foreheads, let him fly the land of heroic freedom, and on him be the indignant curses of the nation.

Given at the royal isle of Leon, the 9th of January, 1811.

ALONSE CANEDO, president.

JOSE MARTINEZ, dep. sec.

JOSE AZNAREZ, dep sec.

#### PROCLAMATION.

*Frankfort, Feb. 3. 1811.*

We, Charles, by the grace of God, prince primate of the confederation of the Rhine, grand duke of Frankfort, &c. being disposed to execute the part of the duty which is imposed upon us, as regards our territory:

Whereas his majesty the emperor of the French, by an imperial decree issued from the palace of Fontainebleau in the last month, has decreed that on the 19th Feb. of the present year a certain number of men shall be provided for foreign service in the states of the Rhenish confederation; and whereas the contingent which falls upon us is to provide immediately 2800 men, we have deemed it expedient to order that this force shall be raised with all convenient speed.

With impressions of gratitude to his imperial majesty, and with the greatest willingness to do our duty, by our decree, we have exhorted every citizen of Strasburg, and the inhabitants, as they love their native land, or his property and family, to deliver in their names to the military conscription, which is the foundation of the success of all the undertakings of his majesty, and of the welfare of the state.

In order to secure as soon as possible the recruits which are required by his majesty, and which

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have been provided in other states, we have directed the prefects of the four military departments of our Grand Duchy to make out a formula, which is to be filled up by the inhabitants, who are to state the number of young persons within their control, of the various classes liable to the conscription.

It is necessary that we should remark by the way, that no rank or situation can be considered exceptions, but every individual, without reserve, shall be compelled to serve, or find a substitute,

These lists of conscription, when prepared, shall be delivered into our war department; and then they shall be inspected by us, and our further commands upon the same shall be made known.

Given at Frankfort, 29th Jan. 1811.

CHARLES, grand duke.

IMPORTANT CORRESPONDENCE BETWEEN THE PRINCE REGENT AND MR. PERCEVAL.

THE PRINCE REGENT'S LETTER.

*Carlton-house, Feb. 4, 1811.*

The prince of Wales considers the moment to be arrived, which calls for his decision with respect to the persons to be employed by him, in the administration of the executive government of the country, according to the powers vested in him by the bill passed by the two houses of parliament, and now on the point of receiving the sanction of the great seal.

The prince feels it incumbent upon him, at this precise juncture, to communicate to Mr. Perceval his intention not to remove from their stations those whom he finds there as his majesty's official servants. At the same time the prince owes it to the truth and sincerity of character, which, he trusts, will appear in every action of his life,

in whatever situation placed, explicitly to declare, that the irresistible impulse of filial duty and affection to his beloved and afflicted father, leads him to dread that any act of the regent might, in the smallest degree, have the effect of interfering with the progress of his sovereign's recovery.

This consideration alone dictates the decision now communicated to Mr. Perceval.

Having thus performed an act of indispensable duty, from a just sense of what is due to his own consistency and honour, the prince has only to add, that, among the many blessings to be derived from his majesty's restoration to health, and to the personal exercise of his royal functions, it will not, in the prince's estimation, be the least, that that most fortunate event will at once rescue him from a situation of unexampled embarrassment, and put an end to a state of affairs ill calculated, he fears, to sustain the interests of the united kingdom in this awful and perilous crisis, and most difficult to be reconciled to the genuine principles of the British constitution.

MR. PERCEVAL'S ANSWER.

*Downing-street, Feb. 5, 1811.*

Mr. Perceval presents his humble duty to your royal highness, and has the honour to acknowledge the receipt of your royal highness's letter of last night, which reached him this morning.

Mr. Perceval feels it his duty to express his humble thanks to your royal highness for the frankness with which your royal highness has condescended, explicitly, to communicate the motives which have induced your royal highness to honour his colleagues and him with your commands for the continuation

tinuation of their services, in the stations intrusted to them by the king. And Mr. Perceval begs leave to assure your royal highness, that, in the expression of your royal highness's sentiments of filial and loyal attachment to the king, and of anxiety for the speedy restoration of his majesty's health, Mr. Perceval can see nothing but additional motives for their most anxious exertions to give satisfaction to your royal highness, in the only manner in which it can be given, by endeavouring to promote your royal highness's views for the security and happiness of the country.

Mr. Perceval has never failed to regret the impression of your royal highness, with regard to the provisions of the regency, which his majesty's servants felt it to be their duty to recommend to parliament. But he ventures to submit to your royal highness, that, whatever difficulties the present awful crisis of the country and the world may create in the administration of the executive government, your royal highness will not find them in any degree increased by the temporary suspension of the exercise of those branches of the royal prerogatives which has been introduced by parliament in conformity to what was intended on a former similar occasion; and that whatever ministers your royal highness might think proper to employ, would find, in that full support and countenance, which, as long as they were honoured with your royal highness's commands, they would feel confident they would continue to enjoy, ample and sufficient means to enable your royal highness effectually to maintain the great and important interests of the united kingdom.

And Mr. Perceval humbly trusts, that, whatever doubts your royal highness may entertain with respect to the constitutional propriety of the measures which have been adopted, your royal highness will feel assured, that they could not have been recommended by his majesty's servants, nor sanctioned by parliament, but upon the sincere, though possibly erroneous, conviction, that they in no degree trench upon the true principles and spirit of the constitution.

Mr. Perceval feels it his duty to add, that he holds himself in readiness, at any moment, to wait upon your royal highness, and to receive any commands with which your royal highness may be graciously pleased to honour him.

#### SPEECH OF THE PRINCE REGENT.

12. The lords commissioners (the archbishop of Canterbury, the lord chancellor, the duke of Montrose, earl Camden, and the earl of Westmoreland) being seated on the woolsack, the lord chancellor read the following most gracious speech:

My lords, and gentlemen,

In execution of the commission which has now been read to you, we are commanded by his royal highness the prince regent to express, in the strongest manner, how deeply he laments, not only in common with all his majesty's loyal subjects, but with a personal and filial affliction, the great national calamity which has been the occasion of imposing upon his royal highness the duty of exercising, in his majesty's name, the royal authority of this kingdom.

In conveying to you the sense which his royal highness entertains of the great difficulties attending the important trust which is repos-

ed in him, his royal highness commands us to assure you, that he looks with the most perfect confidence to the wisdom and zeal of parliament, and to the attachment of a loyal and affectionate people, for the most effectual assistance and support; and his royal highness will, on his part, exert his utmost endeavours to direct the powers with which he is invested, to the advancement of the prosperity, welfare, and security of his majesty's dominions.

We are directed to inform you, that his royal highness has great satisfaction in being enabled to state, that fresh opportunities have been afforded, during the late campaign, for distinguishing the valour and skill of his majesty's forces both by sea and land.

The capture of the islands of Bourbon and Amboyna have still further reduced the colonial dependencies of the enemy.

The attack upon the island of Sicily, which was announced to the world with a presumptuous anticipation of success, has been repulsed by the persevering exertions and valour of his majesty's land and sea forces.

The judicious arrangements adopted by the officers commanding on that station, derived material support from the zeal and ardour which were manifested during this contest by the inhabitants of Sicily, and from the co-operation of the naval means which were directed by his Sicilian majesty to this object.

In Portugal, and at Cadiz, the defence of which constituted the principal object of his majesty's exertions in the last campaign, the designs of the enemy have been hitherto frustrated. The consummate skill, prudence, and perseve-

rance of lieutenant-general, lord viscount Wellington, and the discipline and determined bravery of the officers and men under his command, have been conspicuously displayed throughout the whole of the campaign. The effect of those distinguished qualities, in inspiring confidence and energy into the troops of his majesty's allies, has been happily evinced by their general good conduct, and particularly by the brilliant part which they bore in the repulse of the enemy at Buzaco. And his royal highness commands us further to state, that he trusts you will enable him to continue the most effectual assistance to the brave nations of the peninsula, in the support of a contest which they manifest a determination to maintain with unabated perseverance; and his royal highness is persuaded, that you will feel, that the best interests of the British empire must be deeply affected in the issue of this contest, on which the liberties and independence of the Spanish and Portuguese nations entirely depend.

We have it likewise in command to acquaint you, that discussions are now depending between this country and the United States of America; and that it is the earnest wish of his royal highness that he may find himself enabled to bring these discussions to an amicable termination, consistent with the honour of his majesty's crown, and the maritime rights and interests of the united kingdom.

Gentlemen of the house of commons,

We are directed to acquaint you, that his royal highness the prince regent has given his commands that the estimates for the expenditure of the current year should be laid before you; and his royal highness

highness has great satisfaction in acquainting you, that although the difficulties under which the commerce of this kingdom has laboured, have in some degree affected a part of his majesty's revenue, particularly in Ireland, yet that the revenue of Great Britain in the last year, though unaided by any new taxation, is greater than ever was known in any preceding year. And his royal highness trusts to your zeal and liberality to afford his majesty adequate supplies for the support of the great contest in which he is necessarily engaged.

My lords, and gentlemen,

We are commanded by his royal highness to declare to you, that it is the most anxious wish of his heart, that he may be enabled to restore unimpaired into the hands of his majesty the government of his kingdom; and that his royal highness earnestly prays that the Almighty may be pleased in his mercy to accelerate the termination of a calamity so deeply lamented by the whole nation, and so peculiarly afflicting to his royal highness himself.

#### CITY ADDRESS.

14. The dutiful and loyal address of the lord mayor, aldermen, and commons of the city of London, in common council assembled.

May it please your royal highness,

We the lord mayor, aldermen, and commons of the city of London in common council assembled, most humbly approach your royal highness with the warmest assurances of affectionate attachment to your royal person, and unshaken adherence to those sacred principles which seated your family upon the throne of this realm; fully convinced, that those principles afford

the best security to the honour and dignity of the sovereign, and the rights and interests of the people.

Whilst we offer to your royal highness our sincere condolence upon the severe visitation with which it has pleased Divine Providence to afflict our most gracious sovereign, which has occasioned a suspension of the royal functions, it is with heartfelt consolation that, in common with all ranks of our fellow subjects, we behold in the person of your royal highness a prince highly endowed, and eminently qualified to exercise the regal duties—a prince, who has so greatly endeared himself to the people by his moderation and forbearance on various trying occasions, and the attachment he has so uniformly shown to their rights and liberties.

Had indeed the desire and the expectation of the united kingdom been realized, by vesting in your royal highness the full powers of the executive authority, we should have had just cause for congratulation, confident as we feel that those powers would have been wisely and beneficially exercised, to enable us to meet the extraordinary exigencies of so perilous a crisis.

Deeply impressed with a sense of the many and great difficulties, which, with powers so limited, your royal highness must have to encounter in the discharge of duties so arduous, and feeling towards your royal highness the fullness of that loyal affection, which in deeds as well as in words we have so long demonstrated towards your royal father and family, we would fain have forborne to cloud the dawn of our intercourse with your royal highness by even a glance at our grievances, manifold and weighty as they are; but duty to our sovereign, duty to our country,

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the example of our forefathers, justice to posterity, the fame and the safety of the kingdom, all, with voice imperious, forbid us to disguise our thoughts, or to smother our feelings.

Far be it from us, *insulted* as the corporation of this ancient (and at all former times respected) city *has recently been* by the servants of the crown; far be it from us to indulge in complaints of grievances peculiar to ourselves, ready and willing as we are to share in all the necessary burdens and all the dangers of our country. It is of general grievances, grievances sorely felt in all ranks of life; of *accumulated and ever-accumulating taxation*, rendered doubly grievous by *the oppressive mode of exaction*, and of the increased and increasing distress and misery therefrom arising; of *the improvident expenditure* of the immense sums thus wrung from industry and labour; of the waste of life, and of treasure, in ill-conducted and ill-conducted expeditions; of the attempts which for many years past, and especially within the last three years, have been made, and with but too much success, to crush public liberty in all its branches, and especially the liberty of freely discussing the conduct of public men, and the nature and tendency of public measures.

Can we refrain from humbly expressing our complaints, when we have seen those ministers who have so long *usurped* the royal authority, and who, it is now discovered, have, *by practising the most criminal deception upon the parliament and the people*, carried on the government during his majesty's former incapacity, exerting their influence to degrade the kingly office? When we have seen mea-

sures adopted, evincing the most ungrounded jealousy and mistrust of your royal highness—when we have seen the prerogatives of the crown curtailed and withheld—when we have seen a new estate established in the realm, highly dangerous and unconstitutional—when we have seen power, influence, and emolument, thus set apart to control and embarrass the executive government, at a time of such unprecedented difficulty, when all the energies of the state are necessary to enable us to surmount the dangers with which we are threatened, both at home and abroad—we confess that, feeling as we do the most unbounded gratitude to your royal highness, for undertaking these arduous duties at a moment of such peril and under such circumstances, we can discover no cause for congratulation:—on the contrary, we should be filled with dismay and the most alarming apprehensions, were it not for the known patriotism and amiable qualities which your royal highness possesses, and the resource which we trust your royal highness will find in the zeal, ardour, affection, and loyalty of a free and united people.

Numerous other grievances we forbear even to mention; but there is one so prominent in the odiousness of its nature, as well as in the magnitude of its mischievous consequences, that we are unable to refrain from marking it out as a particular object of our complaint and of your royal highness's virtuous abhorrence—the *present representation in the commons house of parliament*, a ready instrument in the hands of the minister for the time being, whether for the purpose of nullifying the just prerogatives of the crown, or of insulting

sulting and oppressing the people, and a reform in which representation is, therefore, absolutely necessary for the safety of the crown, the happiness of the people, and the peace and independence of the country.

Reposing the fullest confidence in your royal highness's beneficent views and intentions, we can only deplore the present unfortunate state of things, fully relying that, under circumstances so novel and embarrassing, every measure which depends personally upon your royal highness will be adopted towards extricating us from our present difficulties, and for promoting the peace, happiness, and security of the country.

Thus to mingle our expressions of confidence and affection with the voice of complaint, is grievous to our hearts; but, placing as we do implicit reliance on the constitutional principles of your royal highness, we are cheered with the hope, that such a change of system will take place, as will henceforward, for a long series of happy years, prevent your royal highness from being greeted by the faithful and loyal city of London in any voice but that of content and of gratitude.

Signed by order of court,

HENRY WOODTHORPE.

To which address his royal highness was pleased to return the following most gracious answer:—

I thank you for the assurances of your attachment, and of your confidence in the sincerity of my endeavours to promote the welfare and security of his majesty's dominions, by the faithful administration of those powers with which I am intrusted during the lamented indisposition of the king.

In the arduous situation in which

I am placed, I can assure you that it will be the happiest moment of my life when, by the blessing of providence, I shall be called upon to resign the powers delegated to me into the hands of my beloved and revered father and sovereign.

My own disposition, no less than the example of my royal father; will make me at all times ready to listen to the complaints of those who may think themselves aggrieved; and will determine me on all occasions to regulate my conduct upon the established principles of that ancient and excellent constitution, under which the people of this country have hitherto enjoyed a state of unrivalled prosperity and happiness.

REPORT OF THE QUEEN'S COUNCIL  
ON THE STATE OF HIS MAJESTY'S  
HEALTH.

*Queen's Lodge, Windsor, Apr. 6, 1811.*

Present, the archbishops of Canterbury and York, earl Winchelsea, earl of Aylesford, lord Eldon, lord Ellenborough, sir W. Grant, (the duke of Montrose being absent on account of indisposition.)

We the members of the council, here present, appointed to assist her majesty in the execution of the trust committed to her majesty by virtue of the statute passed in the 51st year of his majesty's reign, entitled, "An act to provide for the administration of the royal authority, and for the care of his majesty's royal person during the continuance of his majesty's illness, and for the resumption of the exercise of the royal authority by his majesty;" having called before us, and examined on oath, the physicians and other persons attendant on his majesty, and having ascertained the state of his majesty's health



health by such other ways and means as appear to us to be necessary for that purpose, do hereby declare the state of his majesty's health, at the time of this our meeting, as follows:

That the indisposition with which his majesty was afflicted at the time of the passing of the said act, does still so far exist, that his majesty is not yet restored to such a state of health as to be capable of resuming the personal exercise of his royal authority.

That his majesty appears to have made material progress towards recovery since the passing of the act; and that all his majesty's physicians continue to express their expectations of such recovery.

(Signed)

C. Cantuar.	Eldon
J. Ebor.	Ellenborough
Windhilsea	W. Grant.
Aylesford	

We copy from the Essequibo and Demerara royal gazette the following proclamation by his excellency H. W. BENTINCK, governor, and the honourable the court of policy of the said colonies:—

Unto whom the seprésents shall come greeting. Be it known,

Whereas representations have been made to us, that numerous meetings of slaves are permitted to take place on the east coast of the colony, at late hours in the evening; which, although they are avowedly for religious purposes, yet being at unseasonable and improper hours, have been found productive of disorder, and, if continued to be allowed, may have the most dangerous tendency: We have therefore thought fit to enact, and it is hereby enacted, that from the date of the publication of these presents, no meeting or convoca-

tion of slaves shall be lawful, or permitted to take place, after the hour of sun-set, for any purpose whatever, except only for the usual purposes of the estate or plantation to which such slaves shall belong. And we do hereby in the strictest manner forbid any proprietor, attorney, or manager of estates, to permit such meeting, under pain of the several penalties of the law, directing the burgher officers of the different districts to use their authority to prevent the same; authorizing them, in case of resistance, to commit the person or persons so resisting or refusing to comply, strictly conforming themselves to the instructions given them in the 25th article of the militia regulations.

Given at the court-house in Stabroek, the 2d day of May 1811; and published the 25th of the same month. W. H. BENTINCK.

#### BAPTISM OF THE KING OF ROME.

15. The ceremony of the baptism of the king of Rome, and the fêtes accompanying it, were celebrated with the pomp suitable to their object. At the ceremony, on the right of the emperor was the king of Rome, held by his governess—on the right of the king his godfather and godmother, and on the right of the godmother, prince Joseph Napoleon, king of Spain; prince Napoleon Jerome, king of Westphalia; prince Borghese, duke of Guastalla; prince Eugène, viceroy of Italy; hereditary grand duke of Francfort, duke of Parma. On the left the emperor, the empress; princess Julie, queen of Spain; queen Hortense; princess Pauline, duchess of Guastalla; the prince of Neufchatel, vice-constable; prince of Benevento, vice-grand elector.

SPEECH OF BONAPARTE TO THE  
LEGISLATIVE BODY.

*Paris, June 16.*

This day the emperor proceeded from the Thuilleries, in great state, to the palace of the legislative body. Discharges of artillery announced his departure from the Thuilleries, and his arrival at the palace of the legislative body. The empress, queen Hortense, princess Pauline, the grand duke of Wurtzburg, and the grand duke of Frankfort, were in one tribune; the corps diplomatique in another tribune; the bishops convoked for the council, and the mayors and deputies of the good cities summoned to be present at the baptism of the king of Rome, were on benches. His majesty placed himself on his throne. The king of Westphalia, the princes grand dignitaries, grand eagles of the legion of honour, occupied their accustomed places about his majesty, prince Jerome Napoleon on his right. After the new members had been presented and taken the oaths, the emperor made the following speech:

Gentlemen deputies of departments to the legislative body,

The peace concluded with the emperor of Austria has been since cemented by the happy alliance. I have contracted: the birth of the king of Rome has fulfilled my wishes, and satisfies my people with respect to the future.—The affairs of religion have been too often mixed, and sacrificed to the interests of a state of the third order. If half Europe has separated from the church of Rome, we may attribute it specially to the contradiction which has never ceased to exist between the truths and the

principles of religion which belong to the whole universe, and the pretensions and interests which regarded only a very small corner of Italy. I have put an end to this scandal for ever. I have united Rome to the empire—I have given palaces to the popes at Rome and at Paris: if they have at heart the interests of religion, they will often sojourn in the centre of the affairs of christianity—it was thus that St. Peter preferred Rome to an abode even in the Holy Land.—Holland has been united to the empire; she is but an emanation of it—without her the empire would not be complete.

The principles adopted by the English government, not to recognise the neutrality of any flag, have obliged me to possess myself of the mouths of the Ems, the Weser, and the Elbe, and have rendered an interior communication with the Baltic indispensable to me. It is not my territory that I wished to increase, but my maritime means.—America is making efforts to cause the freedom of her flag to be recognised—I will second her. I have nothing but praises to give to the sovereigns of the confederation of the Rhine.—The union of the Valais has been foreseen ever since the act of mediation, and considered as necessary to conciliate the interests of Switzerland with the interests of France and Italy.—The English bring all the passions into play. One time they suppose France to have all the designs that could alarm other powers, designs which she could have put in execution if they had entered into her policy. At another time they make an appeal to the pride of nations, in order to excite their jealousy. They lay hold of all circumstances which arise out of

of the unexpected events of the times in which we are:—It is war over every part of the continent that can alone ensure their prosperity. I wish for nothing that is not in the treaties I have concluded. I will never sacrifice the blood of my people to interests that are not immediately the interests of my empire. I flatter myself that the peace of the continent will not be disturbed.

The king of Spain is come to assist at this last solemnity. I have given him all that was necessary and proper to unite the interests and hearts of the different people of his provinces. Since 1809, the greater part of the strong places in Spain have been taken after memorable sieges. The insurgents have been beat in a great number of pitched battles. England had felt this war was approaching its termination, and that intrigues and gold were no longer sufficient to nourish it. She found herself, therefore, obliged to change the nature of it; and from an auxiliary she is become a principal. All she has of troops of the line have been sent into the peninsula. England, Scotland, and Ireland are drained. English blood has at length flowed in torrents, in several actions glorious to the French arms.—This conflict against Carthage, which seemed as if it would be decided in fields of battle on the ocean, or beyond the seas, will henceforth be decided in the plains of Spain! When England shall be exhausted, when she shall at last have felt the evils which for twenty years she has with so much cruelty poured upon the continent, when half of her families shall be in mourning, then shall a peal of thunder put an end to the affair of the peninsula, the destinies of her armies, and

avenge Europe and Asia by finishing this second Punic war.

Gentlemen deputies of departments to the legislative body,

I have ordered my minister to lay before you the accounts of 1809 and 1810. It is the object for which I have called you together. You will see in them the prosperous state of my finances. Though I have placed, within three months, 100 millions extraordinary at the disposal of my ministers of war, to defray the expenses of new armaments which then appeared necessary, I find myself in the fortunate situation of not having any new taxes to impose upon my people—I shall not increase any tax—I have no want of any augmentation in the imposts.

The sitting being terminated, his majesty rose and retired amidst acclamations,

#### PROTEST.

The following protest was on Thursday night entered on the journals of the house of lords; against the bill for fixing the value of the current coin and bank-notes at their actual denomination—that is, for fixing a guinea at twenty-one shillings, and no more, and a bank-note at twenty shillings, and no less.

*Die Martis, 2 Julii, 1811.*

#### DISSENTIENT,

Because we think it the duty of this house to mark in the first instance with the most decided reprobation, a bill which in our judgement manifestly leads to the introduction of laws imposing upon the country the compulsory circulation of a paper currency; a measure fraught with injustice, destructive of all confidence in the legal

legal security of contracts, and, as invariable experience has shown, necessarily productive of the most fatal calamities:

Grenville	Lansdowne
Essex	Cowper
Jersey	King
Grey	Lauderdale.

For the reason assigned on the other side, and because the repeal of the law for suspending bank payments in cash is in my judgment the only measure which can cure the inconveniences already felt, and avert the yet greater calamities which are impending from the present state of the circulation of the country, VASSAL HOLLAND.

#### HIS MAJESTY'S HEALTH.

The following is the official report of the state of his majesty's health on Saturday the 6th of July, as presented to the privy council by the queen's council.

*Windsor, July 6.*

We the under-written, members of the council appointed to assist her majesty in the execution of the trusts committed to her majesty, by virtue of the statute, passed in the 51st year of his majesty's reign, entitled "An act to provide for the administration of the royal authority, and for the care of his majesty's royal person, during the continuance of his majesty's illness, and for the resumption of the exercise of the royal authority by his majesty," having duly met together, on the 6th day of July 1811, at the Queen's Lodge, near to Windsor Castle, and having called before us, and examined upon oath, the physicians and other persons attendant upon his majesty, and having ascertained the state of his majesty's health by all such other ways and means as appeared to us

to be necessary for that purpose, do hereby declare and certify, that the state of his majesty's health, at the time of this our meeting, is not such as to enable his majesty to resume the personal exercise of his royal functions.

That his majesty's bodily health is but little disordered.

That, in consequence of an accession of mental disorder, subsequent to our report of the 6th April last, a change took place in the system of management which had been previously adopted for his majesty's cure. His majesty's mental health is represented to us by all the physicians as certainly improved since the 6th of April. We are unable, however, to ascertain what would be the effects of an immediate recurrence to any system of management, which should admit of as free an approach to his majesty's presence as was allowed in a former period of his majesty's indisposition.

Some of his majesty's physicians do not entertain hopes of his majesty's recovery quite so confident as those which they had expressed on the 6th of April. The persuasion of others of his majesty's physicians, that his majesty will completely recover, is not diminished—and they all appear to agree, that there is a considerable probability of his majesty's final recovery; and that neither his majesty's bodily health, nor his present symptoms, nor the effect which the disease has yet produced upon his majesty's faculties, afford any reason for thinking that his majesty will not ultimately recover.

(Signed)

C. Cantuar	W. Grant
E. Ebor	Montrose
Eldon	Winchilsea
Ellenborough.	Aylesford.

## PROROGATION OF PARLIAMENT.

The deputy usher of the black rod having summoned the house of commons to attend in their lordships' house, to hear the royal assent, by commission, given to the gold coin bill, and the militia interchange amendment bill: this being done, the lords commissioners, authorized by the letters patent of the prince regent, in the name of his majesty, proceeded to read the regent's speech on the occasion.

The commissioners were the archbishop of Canterbury, the lord chancellor, earl Camden, the earl of Westmorland, and the earl of Aylesford.

The lord chancellor read the speech as follows:

My lords, and gentlemen,

His royal highness the prince regent, acting in the name and on the behalf of his majesty, has commanded us to signify to you the satisfaction with which he finds himself enabled to relieve you from your attendance in parliament, after the long and laborious duties of the session. We are particularly directed to express his approbation of the wisdom and firmness which you have manifested, in enabling his royal highness to continue the exertions of this country in the cause of our allies, and to prosecute the war with increased activity and vigour.

Your determined perseverance in a system of liberal aid to the brave and loyal nations of the peninsula has progressively augmented their means and spirit of resistance; while the humane attention which you have paid to the sufferings of the inhabitants of Portugal, under the unexampled cruelty of the enemy, has confirmed the alliance by new ties of affection, and cannot

fail to inspire additional zeal and animation in the maintenance of the common cause.

His royal highness especially commands us to declare his cordial concurrence in the measures which you have adopted, for improving the internal security and military resources of the united kingdom.

For these important purposes you have wisely provided, by establishing a system for the annual supply of the regular army, and for the interchange of the militias of Great Britain and Ireland; and his royal highness has the satisfaction of informing you, that the voluntary zeal which has already been manifested upon this occasion has enabled him to give immediate operation to an arrangement by which the union and mutual interests of Great Britain and Ireland may be more effectually cemented and improved.

Gentlemen of the house of commons,

His royal highness commands us to thank you, in the name and on behalf of his majesty, for the liberal supplies which you have furnished for every branch of the public service.

His royal highness has seen with pleasure the readiness with which you have applied the separate means of Great Britain to the financial relief of Ireland at the present moment; and derives much satisfaction from perceiving that you have been able to accomplish this object with so little additional burthen upon the resources of this part of the united kingdom. The manner in which you have taken into consideration the condition of the Irish revenue has met with his royal highness's approbation; and his royal highness commands us to add, that he looks with confidence

dence to the advantage which may be derived from the attention of parliament having been given to this important subject.

My lords and gentlemen,

His royal highness commands us to congratulate you upon the reduction of the island of Mauritius. This last and most important colony of France has been obtained with inconsiderable loss, and its acquisition must materially contribute to the security of the British commerce and possessions in that quarter of the world.

The successes which have crowned his majesty's arms, during the present campaign, under the distinguished command of lieutenant-general lord viscount Wellington, are most important to the interests and glorious to the character of the country. His royal highness warmly participates in all the sentiments which have been excited by those successes, and concurs in the just applause which you have bestowed upon the skill, prudence, and intrepidity so conspicuously displayed in obtaining them.

It affords the greatest satisfaction to his royal highness to reflect, that, should it please divine providence to restore his majesty to the ardent prayers and wishes of his majesty's people, his royal highness will be enabled to lay before his majesty, in the history of these great achievements of the British arms, throughout a series of systematic operations, so satisfactory a proof that the national interests and the glory of the British name have been so successfully maintained, while his royal highness has conducted the government of the united kingdom.

Then a commission for proroguing the parliament was read; after which the lord chancellor said:

1811.

My lords and gentlemen,

By virtue of the commission under the great seal to us and other lords directed, and now read, we do, in obedience to the commands of his royal highness the prince regent, in the name and on behalf of his majesty, prorogue this parliament to Thursday, the twenty-second day of August next, to be then here holden; and this parliament is accordingly prorogued to Thursday, the twenty-second day of August next.

The house immediately rose till the 22d of August.

#### TWO DECREES OF BONAPARTE.

By two decrees, dated the 27th of July, the emperor of France, wishing to make several dispositions useful to his good city of Rome, as he affectingly calls it, has decreed as follows:

The imperial court of justice shall be established at the chancery; the academy of the university in the good city of Rome shall be established at the college della Sapienza. Two lyceums shall be established at Rome, one at the Roman college, and the other at that of the Jesuits. The magazines of corn and oil at the Baths of Dioclesian and Cœneto, and Civita Vecchia, are ceded to the city of Rome.

Every year there shall be provided an extraordinary fund of one million, under the title of The special fund for the embellishments of Rome. This fund shall be raised partly on the city and partly on the revenues of the extraordinary. It shall be applied to the excavations for the discovery of antiquities; to the perfectioning of the navigation of the Tiber; to the construction of a new bridge on the site of that of Horatius Cocles; to the finishing

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finishing of the bridge of Sixtus; to the aggrandisement and embellishment of the squares of Trajan and the Pantheon; to the construction of a market and two slaughtering-places; to the opening of a promenade on the side of the Gate of the People, and another on the site of the Forum, of the Coliseum, and of the Mount Palatine, to the establishment of a botanic garden, &c.

The fund of one million shall be employed in 1811 in the following manner:—100,000 livres for the wood to complete the navigation of the Tiber, especially in that part of the river which flows through the city of Rome; 50,000 to begin the new bridge of Horatius Cocles; 50,000 for the enlargement and embellishments of the squares of Trajan and the Pantheon; 150,000 for the promenade at the Gate of the People; 100,000 for the promenade at the Capitol; 50,000 for the market; 100,000 for the slaughtering-places; 50,000 for the botanic garden; 300,000 livres for a fund to furnish supplementary aid, according to the statements made of the progress of the works, and to commence new ones, according to the proposals which shall be made by the committee.

The plans for the perfecting of the navigation of the Tiber, from Perugia to the sea, and especially of that part of the river which flows through the city of Rome, the new bridge of Horatius Cocles, and the bridge of Sixtus, shall be commenced without delay, and shall be submitted to his majesty in the sittings of bridges and causeways which shall be held in December.

Also shall be commenced, with as little delay as possible, the plans

for the enlargement and embellishment of the squares of Trajan and the Pantheon, and for the market and slaughtering-places. In the mean time, till the plans for the square of Trajan shall have received his majesty's approbation, the convents of the Holy Ghost and St. Euphemia shall be pulled down.

The plans which have been submitted to his majesty for the promenade on the side of the Gate of the People are approved; and to carry them into effect the convent del Popolo, and its dependencies, shall be pulled down. This promenade shall be called the Garden of the Great Cæsar.

The promenade projected on the site of the Capitol and the Coliseum shall be called the Garden of the Capitol. The plans of them shall be presented without delay, as well as those of the botanic garden.

The houses, palaces, and dependencies, situated on the sites destined for the embellishments of Rome, and which appertain to his majesty, or which appertain to the court of Naples, shall be pulled down.

#### PARIS.

*Palace of St. Cloud, Aug. 24.*

Napoleon, emperor of the French, king of Italy, protector of the confederation of the Rhine, mediator of the Swiss confederation, &c. &c. &c.

An account having been given of the state of printing and vending of books in the departments of the Hanseatic towns of Tuscany, and the Roman states:

Wishing to reconcile the rights which are guaranteed by our laws and decrees of the literary property of authors with the interests of our subjects, the booksellers and print-

ers of the above-mentioned departments, and to prevent the latter from being troubled on account of editions of the aforesaid works which they may have published anterior to the ruinous disputes between them :

Upon the report of our minister of the interior, our council of state agreeing, we have decreed and do decree as follows :

Art 1. Editions printed anterior to the 1st January 1811, in the departments of the 22d, 29th, and 30th military divisions, of works printed in France ulterior to the same epoch, and constituting a part of private literary property, shall not be considered as counterfeit, provided they are stamped before the 1st of January next.

2. Consequently editors, printers, and all booksellers or others in any way trading in books in the above designated departments, who may be proprietors or in possession of any of them, are bound to declare to the prefect of their department the number of copies they possess of the said editions. The prefects will transmit a copy of these declarations to our director-general for bookselling.

3. These copies must be presented in each department, and by each printer or bookseller, prior to the 1st of October, to the commissioner delegated for the purpose, and the first page in each of them carefully stamped ; after which they may be freely sold throughout the empire.

4. The booksellers shall be bound to pay the authors or proprietors the twelfth part of the whole of the copies declared by them to be in their warehouses, or at their disposal, and that too every six months, in proportion to the sales they make, which shall be determin-

ed by the number of copies that remain of those they produce.

5. On the 1st of October, the stamps shall be sent back to our director-general for bookselling ; after which time all copies of the above-mentioned editions that shall be found without a stamp will be considered spurious, and those upon whom they are found subject to the punishments settled by the laws and our regulations.

6. Our grand judge, minister of justice, and our minister for the interior, are charged, each in as much as concerns him, with the execution of the present decree, which shall be inserted in our bulletin of laws.

(Signed) NAPOLEON.

*Milan, Aug. 25.*

To-day being the nativity of her majesty the empress and queen, there was a court and spectacle at the palace.

The royal institute, in the sitting of the 6th of May last, voted an address to his majesty the emperor of France, containing sentiments of regard for his royal person.

His majesty the emperor and king was most graciously pleased to receive it, and remitted the following letter to the Italian institute :

Count Perades, president of the institute, after having recalled Italy to the glory of arms, my care has been to recall it to the ancient honour of the sciences and arts.

For this end I have given my kingdom of Italy that form which to me appeared most conducive to the progress of Italian literature. The sentiments which the Italian institute have expressed for me are guarantees of its zeal to second my intentions.

The present having no other end,  
(O 2) I pray,



I pray, M. President, God may have you in his holy keeping.

#### NEW SPANISH CONSTITUTION.

The cortes having appointed, a committee of their body to form the plan of a constitution, the following are said to be the preliminary and fundamental principles of the plan which the committee have proposed. The two sections, consisting of 242 articles, were read in the public sitting of the 19th Aug.

#### *Preliminary and fundamental principles.*

Spain belongs to the Spanish people, and is not the patrimony of any family. The nation only can make fundamental laws. The Roman catholic and apostolic religion, unmixed with any other, is the only religion which the nation professes or will profess. The government of Spain is an hereditary monarchy. The cortes shall make the laws, and the king shall execute them.

*Spanish citizens.*—The children of Spaniards, and of foreigners married to Spanish women, or who bring a capital in order to naturalize themselves to the soil, or establish themselves in trade, or who teach any useful art, are citizens of Spain. None but citizens can fill municipal offices.—The rights of citizenship may be lost by long absence from the country, or by condemnation to corporeal or infamous punishments.

*The king.*—The person of the king is inviolable and sacred. He shall sanction the laws enacted by the cortes. He may declare war and make peace. He shall appoint to civil and military employments on the proposal of the council of state. He shall direct all diplomatic negotiations. He shall

superintend the application of the public revenue, &c.

#### *Restrictions on the kingly authority.*

—The king shall not obstruct the meeting of the cortes in the cases and at the periods pointed out by the constitution, nor embarrass or suspend the sittings, &c. All who may advise him to any such proceedings shall be holden and dealt with as traitors. He must not travel, marry, alienate any thing, abdicate the crown, raise taxes, nor exchange any town, city, &c. without having first obtained permission of the cortes. Don Ferdinando VII. is declared by the cortes king of Spain, and after his decease his legitimate descendants shall succeed to the throne. The king shall be a minor until he has completed the age of 18 years. The eldest son of the king shall be called prince of the Asturias, and, as such, shall at the age of 14 take an oath before the cortes to maintain the constitution, and to be faithful to the king. During a minority a regency shall be formed, which shall superintend the education of the young prince according to the orders of the cortes. The regency shall be presided by the queen mother, if she be in life, and shall be composed of two of the oldest deputies of the cortes, who shall be replaced from year to year, and of two counsellors of the council of state chosen in the order of their seniority. The cortes shall fix the salary proper for the support of the king and his family, and shall point out the places destined for his recreation, &c. The infantes may be appointed to all employments, but cannot be magistrates, nor members of the cortes, and must not leave the kingdom without the permission of the  
said

said cortes. There shall be eight secretaries of state, including two for South and North America; they shall be responsible for the affairs of their respective departments, and the remuneration which they shall receive shall be determined by the cortes. A council of state shall be formed, consisting of 40 members: four of this number are to be grandees of Spain of acknowledged merit and virtue; four ecclesiastics, of which two shall be bishops; twelve Americans; the remaining twenty members to be chosen from among the most respectable citizens of the other classes of the community. This council shall meet every year on the first of March, and shall sit during three months. This period can only be extended on the request of the king, or for some reason of great urgency. In such cases the session may be prolonged, but not beyond one month.

*The cortes.*—The election of the cortes shall take place conformably to the mode prescribed by the constitution, and one deputy shall be chosen for each 70,000 souls. The sittings of the cortes shall be opened by the king, or in his name, by the president of the deputation of the cortes, which ought to remain permanent, in order to watch over the fulfilment of the constitution.

#### HIS MAJESTY'S HEALTH.

The queen's third quarterly council, consisting of the archbishops of Canterbury and York, the lord chancellor, the duke of Montrose, earls Winchilsea and Aylesford, and lord Ellenborough, assembled at Windsor Castle on Saturday, October the 5th, conformably to the regency act, before which his majesty's physicians underwent a long examination.

The lord chancellor afterwards waited upon the prince regent, and laid before his royal highness the minutes of the proceedings.

*Report of the queen's council, held at Windsor, Saturday, Oct. 5, 1811.*

That the state of his majesty's health, at the time of this meeting, is not such as to enable his majesty to resume the personal exercise of his royal authority; that his majesty's bodily health does not appear to be much altered since the date of our last report; but that his majesty's mental health does appear to be considerably worse than it was at the time of our last report.

From all the circumstances of the case, his majesty's recovery is represented as very improbable by all the physicians in attendance upon his majesty, excepting one, who still thinks it probable; but, at the same time, looking to his majesty's faculties, the remaining vigour of his constitution and bodily health, a few of the medical persons in attendance represent that they do not despair, and the majority of the physicians that they do not *entirely* despair of his majesty's recovery.

#### SOUTH AMERICA.

##### THE DECLARATION OF RIGHTS OF THE PROVINCES OF THE CAÑACCAS.

The supreme congress of Venezuela, in its legislative session for the province of Caraccas, taking into consideration that to the neglect and disregard of the rights of man, which have hitherto prevailed, must be ascribed all those evils which this people have endured for three centuries past; and actuated by the desire of re-establishing those sacred principles on a solid basis, has resolved, in obedience to the general will, to declare, and

doth now solemnly declare, in the presence of the universe, these rights inalienable; to the end that every citizen may at all times compare the acts of the government with the purposes of the social institutions; that the magistrate may never lose sight of the rules by which his conduct must be regulated; and that the legislator may in no case mistake the objects of the trust committed to him.

*Sovereignty of the people.*

1. The sovereignty resides in the people, and the exercise of it in the citizens, by the medium of the right of suffrage, and through the agency of their representatives legally constituted.

2. Sovereignty is by its essence and nature imprescriptible, inalienable, and indivisible.

3. A portion only of the citizens, even with the right of suffrage, cannot exercise the sovereignty; every individual ought to participate by his vote in the formation of the body which is to represent the sovereign authority; because all have a right to express their will with full and entire liberty. This principle alone can render the constitution of their government legitimate and just.

4. Any individual, corporate body, or city, which attempts to usurp the sovereignty, incurs the crime of treason against the people.

5. The public functionaries shall hold their offices for a definite period of time, and the investiture with a public function shall not attach any other importance or influence than what they acquire in the opinion of their fellow-citizens, by the virtues they may exercise whilst occupied in the service of the republic.

6. Crimes committed by the representatives and agents of the

public shall not be passed over with impunity; because no individual has a right to become more inviolable than another.

7. The law shall be equal for all, to punish crimes, and to reward virtues, without distinction of birth or hereditary pretensions.

*Rights of man in society.*

1. The purpose of society is the common happiness of the people, and government is instituted to secure it.

2. The felicity of the people consists in the enjoyment of liberty, security, property, and equality of rights, in the presence of the law.

3. The law is formed by the free and solemn expression of the general will, declared by agents whom the people elect to represent their will.

4. The right to declare their thoughts and opinions, through the medium of the press, is unrestrained and free, under responsibility to the law for any violation of the public tranquillity, the religious opinions, property and honour of the citizen.

5. The object of the law is to regulate the manner in which the citizens ought to act upon occasions, when reason requires that they should conduct themselves not merely by their individual judgement and will, but by a common rule.

6. When a citizen submits his actions to a law which his judgement does not approve, he does not surrender his right nor his reason, but obeys the law because he should not be influenced by his own private judgement against the general will to which he ought to conform. Thus the law does not exact the sacrifice of reason, nor the liberty of those who do not approve it, because it never makes an attempt upon liberty, unless where

where the latter violates social order, or swerves from those principles which determine that all shall be governed by one common rule or law.

7. Every citizen cannot hold an equal power in the formation of the law, because all do not equally contribute to the preservation of the state, to the security and tranquillity of society.

8. The citizens shall be ranged in two classes; the one with the right of suffrage, the other without it.

9. Those possessing the right of suffrage are such as are established in the territory of Venezuela, of whatever nation they may be, and they alone constitute sovereignty.

10. Those not entitled to the right of suffrage are such as have no certain place of residence; those without property, which is the support of society. This class, nevertheless, enjoys the benefits of the law, and its protection, in as full a measure as the other, but without participating in the right of suffrage.

11. No individual can be accused, arrested, or confined, unless in cases explicitly pointed out by law.

12. Every act exercised against a citizen, without the formalities of the law, is arbitrary and tyrannical.

13. Any magistrate who decrees or causes an arbitrary act to be executed, shall be punished with the severity the law prescribes.

14. The law shall protect public and individual liberty against oppression and tyranny.

15. Every citizen is to be regarded as innocent, until he shall have been proved culpable. If it become necessary to secure his person, unnecessary rigour for the purpose shall be repressed by law.

16. No person shall be sentenced or punished without a legal trial, in virtue of a law promulgated previously to the offence. Any law which punishes crimes committed previous to its existence, is tyrannical. A retroactive effect assumed by the law is a crime.

17. The law shall not decree any punishment not absolutely necessary, and that shall be proportionate to the crime, and useful to society.

18. Security consists in the protection afforded by society to each of its members, for the preservation of his person, his rights, and his property.

19. Every individual possesses the right to acquire property, and to dispose of it at will, unless his will be contrary to a previous compact, or to law.

20. No kind of labour, art, industry, or commerce, shall be prohibited to any citizen, save only such establishments as may be required for the subsistence of the state.

21. No one can be deprived of the least portion of his property without his consent, except when the public necessity requires it, and then under the condition of a just compensation. No contribution can be required and established, unless for the general utility. Every citizen entitled to suffrage, has the right, through the medium of his representatives, to advise and consult on the establishment of contributions, to watch over their application, and to require an account of the same from those he has elected as his representatives.

22. The liberty of claiming one's rights, in the presence of the depositaries of the public authority, in no case can be withheld, nor confined to any particular citizen.

23. There is individual oppression, when one member of society is oppressed ; there is also the oppression of a number, when the social body is oppressed. In these cases the laws are violated, and the citizens have a right to demand the observance of the laws.

24. The house of every citizen is an inviolable asylum. No one has a right to enter it violently ; except in cases of conflagration, deluge, or application proceeding from the same house ; or for objects of criminal proceedings in the cases and with the essentials determined by law, and under the responsibility of the constituted authorities who have issued the decree. Domiciliary visits, and civil executions, shall take place only in open day, in virtue of the law, and with respect to the person and object expressly pointed out in the act authorising such visitation and execution.

25. Every foreigner, of whatever nation he may be, shall be received and admitted into the state of Venezuela.

26. The persons and properties of foreigners shall enjoy the same security as the native citizens, provided always that they acknowledge the sovereignty and independence, and respect the catholic religion, the only one in this country.

27. The foreigners who reside in the state of the Caraccas, becoming naturalized and holding property, shall enjoy all the rights of citizenship.

*Duties of man in society.*

1. The rights of others, in relation to each individual, have their limit in the moral principle which determines their duties, the fulfilment whereof is the necessary effect of the respect due to the rights of each of the individuals. Their basis are these maxims :—“ Render to

others the good which you would they should render unto you.” “ Do not unto another that which you do not wish to be done unto you.”

2. The duties of every individual with respect to society, are : to live in absolute submission to the laws—to obey and respect the legal acts of the constituted authorities—to maintain liberty and equality—to contribute to the public expenses—to serve the country in all its exigencies—and, if it becomes necessary, to render to it the sacrifice of property and life : in the exercise of these virtues consists genuine patriotism.

3. Whoever openly does violence to the laws—whoever endeavours to elude them—declares himself an enemy to society.

4. No one can be a good citizen, unless he be a good parent, a good son, a good brother, a good friend, and a good husband.

5. No man can be a man of worth, unless he be a candid, faithful, and religious observer of the laws : the exercise of private and domestic virtues is the basis of public virtue.

*Duties of the social body.*

1. The duty of society with respect to its individual members is the social guarantee. This consists in the obligation on the whole to secure to every individual the enjoyment and preservation of his rights, which is the foundation of the national sovereignty.

2. The social guarantee cannot exist, unless the law clearly determines the bounds of the powers vested in the functionaries ; nor when the responsibility of the public functionaries has not been expressly determined and defined.

3. Public succour is a sacred duty of society ; it ought to provide for

for the subsistence of the unfortunate citizens, either by ensuring employment to those who are capable of acquiring means of subsistence, or else by affording the means of support to such as cannot acquire it by labour.

CORRESPONDENCE BETWEEN THE LORDS OF HIS MAJESTY'S TREASURY AND THE AUDITOR OF THE EXCHEQUER, RESPECTING THE ISSUE OF MONEY FOR THE SERVICE OF THE ARMY AND NAVY.

No. I.—Warrant — 500,000*l.* — bank of England; on account of the treasurer of the navy.

After our hearty commendations: —Whereas by an act passed in the last session of parliament, entitled, “An act for granting to his majesty certain sums of money out of the consolidated fund of Great Britain, and for applying certain moneys therein mentioned, for the service of the year 1810, and for further appropriating the supplies granted in this session of parliament,” the sum of 19,237,934*l.* 5*s.* 11*d.* was granted to his majesty, for and towards the naval services therein more particularly mentioned: and whereas it appears by a joint resolution of the houses of lords and commons, that “his majesty is prevented by his present indisposition from coming to his parliament, and from attending to public business, and that the personal exercise of the royal authority by his majesty is thereby for the present interrupted:” and whereas it is indispensably necessary for his majesty's service, that the sums granted as aforesaid should be issued and applied for the purposes authorized by the said act; and that for the urgent and pressing demands of the navy it is necessary, in order to prevent the manifest and serious injury which the public service would sustain if such issue of

money were not made, that the sum of 500,000*l.* should be forthwith issued for the service of the navy: And whereas during the continuance of his majesty's indisposition, and previous to any authority being obtained by act of parliament to authorize the signature of his majesty's name or the application of his privy seal, the ordinary and accustomed mode of issuing money out of the exchequer cannot be pursued: and whereas by the said recited act certain sums therein mentioned are directed to be issued and applied for and towards making good the supply granted to his majesty; and the commissioners of his majesty's treasury, now or for the time being, or any three or more of them, or the high treasurer for the time being, are or is thereby or by other acts therein recited, authorised and empowered to issue and apply the same accordingly: These are therefore, under the particular exigency of the case, to pray and require you to draw an order for paying under the governor and company of the bank of England, upon account of the right honourable George Rose, treasurer of his majesty's navy, or of the treasurer thereof for the time being, any sum or sums of money not exceeding in the whole the sum of five hundred thousand pounds, by way of imprest and upon account, for the service of the navy and the victualling thereof; and let the said order be satisfied out of any the treasure or revenue in the receipt of the exchequer, applicable to the uses and purposes above mentioned; for which this shall be your warrant. Whitehall treasury chambers, the 31st day of December, 1810.

Sp. Perceval, W. Brodrick,  
W. Eliot, S. Barne, B. Paget.  
To the auditor of the receipt of his majesty's exchequer.

No II.—A like warrant for the same sum to be paid to Mr. Long and lord Charles Somerset, for army services.

No. III.—Lord Grenville, auditor of the exchequer, on the subject of issuing money from the exchequer, for the service of the army and navy, under the warrants of the lords of the treasury.

*Camelford-house, Jan. 1, 1811,  
53 min. p. 11 A. M.*

Sir,—Mr. Fisher has this moment brought to me two warrants from the lords commissioners of his majesty's treasury, under yesterday's date, by which I am required, in consideration of the circumstances therein stated, to draw an order for the issue of 500,000*l.* to the bank, on account of the paymaster-gen. of the forces, and also a like sum on account of the treasurer of the navy; for which issues no authority under his majesty's great seal, or privy seal, or sign manual, has as yet been presented, according to the accustomed mode and course of the exchequer in that behalf.

I have been, up to this moment, totally unapprized of any intention on the part of their lordships to transmit to me any such warrants; but had on the contrary every reason to believe, from what you had stated to Mr. Fisher, that the officers of the exchequer were to be called upon to act on this occasion under the authority of his majesty's privy seal, which, however irregularly it might have been obtained, would have been, in my judgement, imperative upon them.

It now becomes necessary for me to consider the nature and extent of the duties which this new and unexpected course of proceeding imposes

upon me; and I must for that purpose request, that you will do me the honour to inform me, within what time it will be necessary, for avoiding those inconveniences to the public service which are specified in the warrants of their lordships, that such orders as are before mentioned should be drawn and transmitted to their lordships?

I have the honour to be, &c.

(Signed) GRENVILLE.

The right hon. Spencer Perceval,  
&c. &c. &c.

No. IV.—Mr. Perceval to lord Grenville, stating the period when an issue should be made from the exchequer, in pursuance of the treasury warrant.

*Downing-street, 1st Jan. 1811,  
¼ before 3 P. M.*

My lord—I have had the honour of receiving your lordship's letter of this day's date, desiring to know within what time it will be necessary, for avoiding those inconveniences to the public service which are specified in the warrants to which your lordship's letter relates, that the order for issuing the money under such warrants should be transmitted to their lordships? and I have to state to your lordship, that according to the usual course of supplying the weekly issues, both to the navy and the army, it would be necessary that sums should be issued to both services, beyond the amount of the existing credits at the exchequer, either tomorrow or the next day at furthest: but although such is the usual practice, which I should regret the necessity of departing from, yet if the orders could be so furnished as to admit of an actual issue being made upon them by Monday next, I do not apprehend any serious inconvenience to the public

lic service from such a short delay.

SP. PERCEVAL.

The lord Grenville.

No. V.—Lord Grenville, auditor of the exchequer, transmitting a case on the subject of issuing money from the exchequer under treasury warrants, and requesting the same might be submitted to the attorney and solicitor general.

*Exchequer, Jan. 1, 1811.*

My lords,—I have been informed by a letter of this date from the right honourable the chancellor of the exchequer, that it is desirable the orders required by your lordships' warrants of yesterday's date should be transmitted to your lordship either to-morrow or next day at furthest, and that serious inconvenience is apprehended to the public service, unless the actual issue can be made upon them by Monday next.

Under this pressure, I have thought it my indispensable duty to lose no time in drawing up such a statement of the case as my general knowledge of the subject enables me to do on the sudden. If there should appear to your lordships any deficiency or error in this statement, I beg leave to request that your lordships will have the goodness to direct that the same should be supplied by your lordships' officers; and I cannot doubt that your lordships will then, in compliance with this my humble request, direct that the case should be immediately submitted, by your lordships' orders, to the attorney and solicitor general, in order that I may have the sanction of their legal advice and authority in a matter of such novel and unprecedented difficulty.

I have the honour to be, &c.

(Signed) GRENVILLE, auditor.

The lords commissioners of his majesty's treasury.

No. VI.—Case for the opinion of his majesty's attorney and solicitor general—1 January 1811.

The auditor of the exchequer is appointed by a constitution from the lords commissioners of his majesty's treasury; his office is generally described by lord Coke, Inst. 106. His appointments states his duty to be, that of writing all and every the tallies and counter tallies of all whatsoever the bills to be made hereafter at the exchequer of our lord the king, on all and every the payments and assignments to be there made; and of doing and exercising all other things to that office belonging.

He has no general instructions accompanying his appointment.

Special provisions relative to his office and duties are contained in the eighth and ninth W. III. c. 28. particularly in sections 6. 8. and 10. to which your attention is desired, as well as to the general tenor of the several statutes for the regulation of the exchequer, and also to the stat. 50 Geo. III. c. 115. f. 6.

Copies of the several forms of the warrants under privy seal and sign manual, and of the usual warrant from the lords commissioners of the treasury to the auditor, for drawing orders for the issue of money, according to the accustomed course of the exchequer, are transmitted herewith. And Mr. Fisher, the auditor's chief clerk, an officer of long experience in the exchequer, will attend you, for the purpose of supplying any explanation of these instruments, or any other information which you may require.

A copy is herewith inclosed of two warrants from the lords commissioners of the treasury, dated December 31, 1810; and requiring the auditor, under the circumstances therein described, to draw orders for



for the issue of one million of the king's treasure, for the issue of which no authority under his majesty's great seal, privy seal, or sign manual, has been presented, according to the accustomed course of the exchequer in that behalf.

Your opinion is requested, by the auditor, whether the aforesaid warrant of the lords commissioners of the treasury is a sufficient authority imperative on him, and therefore a legal sanction for his proceeding to obey the same; or whether any and what discretion is left to him on this occasion, for the exercise of which he may be responsible in any court of law, or to the two houses of parliament: they having resolved that it is their right and duty to provide the means of supplying the defect of the personal exercise of the royal authority arising from his majesty's indisposition, in such manner as the exigency of the case may appear to them to require.

Having considered the several statutes and documents to which we are referred, and the general practice which we understand to have prevailed in the exchequer, as well before as since appropriation acts similar to the 50th Geo. III. c. 115, have been annually passed, we do not think that the warrant of the lords commissioners of the treasury is in law a sufficient authority, imperative upon the auditor, nor consequently a legal sanction for his proceeding to obey the same, nor that any discretion is left to him by the law on this occasion, for the exercise of which he will not be responsible.

(Signed) V. GIBBS, T. PLUMER.  
*Lincoln's Inn, 2d Jan. 1811.*

No. VII.—Mr. Harrison to lord Grenville, transmitting copy of

the opinion of the attorney and solicitor-general on the case submitted by him; and stating the urgent necessity of his complying with the treasury warrant of the 31st December, 1810.

My lord,—I am commanded by the lords commissioners of his majesty's treasury to acknowledge the receipt of your lordship's letter of yesterday, requesting that the case, therein transmitted, should be immediately submitted to the attorney and solicitor general, in order that you may have the sanction of their legal advice and authority in a matter of such novel and unprecedented difficulty; and to acquaint your lordship, that they lost no time in complying with your request. And I am now commanded to transmit to you a copy of the opinion which they have just received from the attorney and solicitor general, stating, that they do not think that the warrant of the lords commissioners of his majesty's treasury is, in law, a sufficient authority imperative upon the auditor, nor consequently a legal sanction for his proceeding to obey the same.

My lords direct me to add, that their sense of the mischief to the public service, which would arise if any delay should take place in the issues of the moneys required by their warrants of the 31st December, appears to render it indispensably necessary that those warrants should be forthwith complied with, and that they are consequently ready to take upon themselves the responsibility of any act which may be essential for that purpose.

I am, &c.

Jan. 2, 1811. GEO. HARRISON.

No. VIII.—Lord Grenville, stating his reasons for not complying with the directions of the treasury warrant

warrant for issuing money from the exchequer.

*Exchequer, Jan. 3, 1811,*

*55 min. m. p.*

My lords,— I had the honour to receive, yesterday evening, a letter from Mr. Harrison, transmitting to me the opinion of his majesty's attorney and solicitor-general, on the statement which I took the liberty of submitting to your lordships for the purpose of being laid before them; and I beg leave to express the due sense which I entertain of your lordships' ready compliance with my request.

Having fully considered that opinion, I lose no time in humbly apprizing your lordships of the final judgement which I have formed as to the line of my official duty on this occasion.

It is matter of the deepest concern to me, to be made the involuntary cause of any even the shortest delay in an issue of his majesty's treasure, stated to me, from such high authority as that of your lordships, to be important to the public service. If I could be satisfied of the propriety of my doing what is required from me by the warrants which I have had the honour to receive from your lordships, there is no personal responsibility which I would not readily incur for the public interests; but I cannot persuade myself that I could obey those warrants without a breach of my official duty in that point which is above all others peculiarly obligatory on the person placed in the situation of auditor of the exchequer; nor without a high and criminal violation both of a positive statute, and also of the essential principles of our monarchical and parliamentary constitution.

The act passed in the 8th and 9th of king William the third, cap. 28. entitled, "An act for the better ob-

servation of the course anciently used in the receipt of exchequer," prohibits the issue of the king's treasure, except in pursuance of the special provisions of an act of parliament or under the authority of warrants under his majesty's great seal or privy seal, duly entered in the office of the auditor, who is thereupon to draw the necessary orders. In the present instance all these authorities are wanting; and it is proposed that 1,000,000*l.* sterling of his majesty's treasure shall be issued on the sole ground of a warrant signed by your lordships. Every step taken towards such an issue by any officer of the exchequer, but more especially by the auditor, would be in open violation both of that statute and of the accustomed course of the exchequer; for such an act your lordships' warrants cannot, as I now learn from the highest authority, afford me any legal sanction. I must, I am told, act on my own discretion, for the exercise of which I must alone be responsible. This responsibility, if it legally attaches upon me, I certainly cannot transfer to any other persons, and least of all to your lordships, whatever willingness you have expressed to take it on yourselves. My attempting to do so would itself be criminal; tending to confound the official relations in which I have the honour to stand towards your lordships, and to annul those checks which the law has established to ensure the faithful discharge of our respective duties, and thereby the security of the public treasure.

But I beg leave humbly to submit to your lordships, that the law has in truth invested me with no discretion on this question.

The exigencies of the public service, which your lordships have condescended to detail to me in these  
your

your warrants, are matters of state, of which, as auditor of the exchequer, I have no knowledge, and can take no cognizance; my official duty is strictly limited to an observance of the accustomed forms of the exchequer, and of the laws which have from time to time been passed for its regulation.

To these I am bound to adhere; and it is on the fullest consideration which this pressure of time has permitted me to give to them, that I am compelled to decline, but with all due respect to your lordships, a compliance with the requisition contained in those warrants to which this letter refers.

Perhaps, however, on an occasion of such high and urgent public interest, it may not be improper for me, before I close this letter, further to submit to your lordships my view of the mode in which all difficulties on this subject may be removed, in so far at least as any agency of mine may be required for the purpose of those issues—a mode which I am happy to think may still be resorted to, even within the period which the right honourable the chancellor of the exchequer did me the honour to point out to me, as that within which no serious inconvenience is to be apprehended to the public service.

Your lordships have recited in your warrants, the resolution by which the two houses of parliament have declared the melancholy fact of the temporary incapacity of his majesty for the discharge of his high functions. If it be proper for me, in my official character, in any manner whatever to act on this declaration, I cannot separate my knowledge of it from that of the accompanying resolution by which the lords and commons did at the same time declare, that it was their right and duty “to provide the means of

supplying the defect of the personal exercise of the royal authority arising from his majesty’s said indisposition, in such manner as the exigency of the case may appear to them to require.”

To this resolution all the subjects of this realm owe submission and obedience; and while it presents on the one hand, in my judgement, a fresh and insuperable obstacle to my obeying your lordships’ requisition, it does, I trust, afford, on the other hand, the means of obviating any inconvenience that could arise from my adherence to this my public duty. I should think myself doubly criminal, if, while the two houses are actually proceeding in the execution of such their right and duty, I were to take upon myself to decide, for them, in what manner the defect in the personal exercise of the king’s authority shall be supplied, in so important a branch as that of the issue of his royal treasure; much more, if I were to arrogate to myself the power of dispensing, for that purpose, with the express provisions of the laws by which my official duties are regulated.

But if your lordships shall think it proper to submit this difficulty to the consideration of the two houses of parliament, they have declared, that with them rests the right and duty to provide the means of removing it. With them resides, under the present exigency, the power to command those official seals, the use of which would constitute an imperative and unquestionable authority to the offices of the exchequer; with them rests the discretion of judgement in what other manner they may think it more fit to provide a sufficient warrant or sanction for any issue which they may determine to be requisite for the public

interests; and I certainly should not fail to defer to their pleasure with entire submission, and to execute with the most implicit obedience any orders which I shall receive from your lordships, under the sanction of their authority.

I have the honour to be, &c.

GRENVILLE, auditor.

RETURN TO AN ORDER OF THE HONOURABLE HOUSE OF COMMONS,  
—for

Copy of a letter from the deputy clerks of the privy seal, of the 4th January, 1811; stating their reasons why they could not prepare letters to pass the privy seal, for the issue of certain sums of money for the service of the navy and army.

GEO. HARRISON.

*Whitehall Treasury Chambers,  
Jan. 4, 1811.*

*Privy Seal Office, 4th Jan. 1811.*

Sir, In pursuance of your request, by command of the lords commissioners of his majesty's treasury, that we should state, in writing, the reason which induced us to acquaint the lord keeper of the privy seal, that we could not execute the command to prepare letters to pass the privy seal, for the issue of certain sums of money for the navy and army; we have no difficulty in complying with your request.

The course of official routine, before we present the letters of privy seal to the lord keeper, is as follows:

A warrant, signed by the king, and countersigned by three lords of the treasury, is directed to the clerk of the signet, ordering him to prepare a bill for the royal signature, to cause letters of privy seal to pass. The clerk of the signet then prepares a transcript of this

bill, which being signed with his name, as examined, after having his majesty's signet affixed to it, is directed to the lord keeper of the privy seal. Upon receiving this, the clerk of the privy seal has a transcript of it prepared; but previous to examining it, it is customary for him to send a docquet, which in point of fact is a copy of the docquet subjoined to the bill, which is prepared by the clerk of the signet for the royal signature. This docquet commences with the words following:

"His majesty's warrant for issuing, &c. &c."—and terminates, "subscribed for Mr. —\*, by warrant under his majesty's royal sign manual;" countersigned by three lords of the treasury. This docquet is compared with the docquet to the king's bill aforementioned; and the clerk of the privy seal in waiting writes at the end of it "Examined;" signing his name. Upon this being returned, signed by three lords of the treasury, the letters of privy seal are compared with the signet transcript, and, being likewise signed by the said clerk, are laid before the lord keeper, in order that the privy seal may be affixed thereto.

Our objection to signing the letters of privy seal, therefore, was, that we conceived it would be departing from the official line of our duty, and acting contrary to the express letter and spirit of our oath, if we signed these letters of privy seal prior to the usual docquet being returned to the office countersigned by three lords of the treasury. We considered this of the greater importance, as we have always conceived the docquet to be a certificate, under the hands of their

\* The clerk of the signet.

lordships, that the royal signature had actually been affixed.

Moreover, as the lord keeper always retains the signet, and docket, as his vouchers for affixing the seal; and the entry of the docket is the only record remaining in the office.

The tenor of the oath is as follows:

"You shall be true to our sovereign lord the king, his heirs and successors, kings and queens of the united kingdoms of Great Britain and Ireland, and them faithfully serve to the best of your power, as one of their clerks in the office of privy seal; and during the time you shall continue in the same, you shall not prefer nor colourably present to the keeper of the privy seal or commissioners for the execution of the office of keeper of the privy seal for the time being, any manner of thing to pass the seal, but such only as you shall have sufficient warrant for, by writing or by mouth granted or given by the king's majesty, or some of his highness's council in the court of requests.—You shall not disclose any of his majesty's causes to you commanded to be kept secret, until such time as publication be thereof made.—And you shall not seek to break any order used for the attendance of the clerks of the said office, or by colour thereof take any profits growing by the seal of the said office, and thereby defraud them of the whole due or any parcel thereof.

"So help you God, and by the holy evangelists."

(Signed) By the clerk.

This—day of—in the  
—year of the reign of king

George—, the said —  
hath taken the oath above expressed, and subscribed his name before me † —keeper of the privy seal; and hath also taken the oaths appointed by an act of parliament, entitled, "An act for abrogating the oaths of supremacy and allegiance, and appointing other oaths."

(Signed) † —

We have the honour to be, &c. &c.

JOHN LARPENT.

JOHN JAS. LARPENT.

George Harrison, esq. &c. &c.

AGAINST THE ORDER TO ISSUE  
MONEY.

Saturday, Jan. 5, 1811.

ON THE REPORT OF THE COMMITTEE  
OF THE WHOLE HOUSE,

DISSENTIENT.

1. Because the principle on which the resolution is founded, would justify the assumption of all the executive powers of the crown by the two houses of parliament, during any suspension of the personal exercise of the royal authority.

2. Because this unprecedented and unconstitutional measure might have been avoided without injury to the public service, by resorting (as was suggested in debate) to the mode of proceeding sanctioned by our ancestors in 1668, namely, an address to his royal highness the prince of Wales, to take upon him the civil and military administration of affairs, and the disposal of the public revenue, until the means of supplying the defect in the exercise of the royal authority should be finally adjusted.

Cambridge

Holland

York

Lauderdale

Kent

Keith

Clarence

Albemarle

\* Clerk's name.  
keeper of the privy seal.

† Here insert the lord keeper's name.

‡ By the lord

Sussex	Erskine
Gloucester	Dundas
Cholmondeley	Darlington
Spencer	Dawney
Rosslyn	Hastings
Ponsonby	Say and Sele.
Seaforth	

His royal highness the duke of Cumberland intended to have signed the protests, but came a minute or two too late.

#### PROXIES.

This subject is of more importance than many persons at first sight may suppose. Whether the privilege be proper or not, is a question we shall not argue. But when it is wished to abolish it, we may ask, What body can abolish it? The house of lords? The privilege is one of the prerogatives of the crown, recognised as such in all our books upon the custom of parliament, and acted upon for centuries. If it be therefore one of the prerogatives of the crown, or a privilege which is derived from the crown, we shall ask, with all the due deference, whether it be competent for the house of peers to restrict or abolish it? All the authorities of the old books are clear upon the point of prerogative. The king has a right to command the service of all his barons. In ancient times they were bound to attend in person; but the crown afterwards mitigated the service, and commuted a personal service into a service by proxy. But the power of dispensing with the service, as well as of commuting it, flowed entirely from the crown. The sovereign, by not using and by patent, has given up the right of interference. But the barons being by their patents granted all the rights and privileges belonging to the degree of barons,

1811,

they have of course a right to that commutation of service which enables them to give their voices by proxies. Hence the privilege is not a mere privilege of parliament, but a prerogative of the crown.

We now lay before our readers the authorities upon which the foregoing conclusions are founded.

THE ANCIENT METHOD AND MANNER OF HOLDING PARLIAMENTS IN ENGLAND—BY HENRY ELSYNGE, ESQ. SOME TIME CLERK OF THE PARLIAMENTS.

#### CHAP. V.

*The making of proxies proves the lords' right to be summoned.*

Those lords that could not appear according to their summons, made their proxies; and even this shows their right to be summoned, else what needed their proxies?

But if they neither came, nor made proxies, then for the disobedience unto the king's writ they were amerced (viz.): anciently an earl at 100*l.* and a baron at 100 marks.—(Vide the ancient manuscript *Modus tenendi parliament. cap. De inchoatione parlam.*)

Which since was qualified many times (viz.).—An. 31 H. VI. no. 46. A duke was taxed at 100*l.* an earl at 100 marks, and a baron at 40*l.* if he came not to parliament.

*Unto whom proxies may be made.*

A proxy cannot be made to a lord that is absent himself.—Vide An. 38 H. VIII. *In fine libri Journal* this entrance (viz.):—

The lord Latimer sent his proxy, which the clerk received; but it was repealed by the lord chancellor, for that the lord Latimer's deputies were not present.

So if the lord unto whom the proxy is made be afterwards absent, the proxy is void: yea, although the procurator be absent *en licentia*

(P)

regis,

*regis*, and hath made a procurator also for himself; for the proxy is but an authority to give another man's consent, which cannot be referred to a third person. And therefore in such case the lord Vaux made a second proxy anno 18 Jacobi Regis, which I think was rather to detain his particular vote (a dignity particular to the lords of parl.) than to avoid the king's displeasure; the first proxy being a sufficient excuse for his absence.

Neither is it the use now to make proxies unto strangers who are no members of the house, nor to any of the attendants, as to the judges, barons of the exchequer, or the like.

*The form of the king's license to be absent at this day.*

The first extant is in the journal of 8 Eliz.

"Right trusty and well beloved, we greet you well. Whereas we are informed, that by reason of sickness you are not able to make your repair hither to this our session of parl. to be holden at Westminster; we have thought good by these our letters to dispense you for your absence, and to license you to remain still at home for this time, so nevertheless *that you do send up your proxy to some such personage as may be for you, and in your name give his voice*, assent or deny to such matters as shall be treated or concluded upon in our said parl. and this our letter shall be your warrant. Given under our signet, at our palace at Westminster, the 20 Sept. in the 8 year of our reign."

*From the Lex Parliamentaria.*

Any lord of the parliament, by license of the king, upon just cause to be absent may make a proxy.—(4 Inst. 12.)

As many proxies as any peer hath, so many voices he hath beside his own; and if there be two or three proxies constituted by one absent lord (as is frequent), then always the first named in the same is to give the voice if he be present, and if absent, then the second, &c. *sic de reliquis*.—(Ibid. Col. 2.)

It is plain by the ancient treatise, *Modus tenendi parliamentum*, that if a peer neither came to the parliament, nor sent a proxy, upon his writ of summons, he forfeited 100*l*. if an earl; 100 marks, if a baron, &c.—(Ibid. 6 Col. 1.)

It seldom happeneth, that any bishop do nominate fewer than three, or two proxies; nor any temporal lord more than one.—(Towns. Col. 4, 39, 40, 42.)

John archbishop of Canterbury had this parliament five proxies.—(Id. 34.)

1 Eliz. a lord of parliament, by license obtained of the queen to be absent, made a proxy to three lords of parliament; one of which gave consent to a bill; the other two said, Not content. And it was by order of the lords debated among the judges and civilians attendant, and conceived by them, that this was no voice; and the opinion was affirmed by all the lords, that this was no voice.—(4 Inst. 12. 13.)

2 Car. I. 1626. The house of peers made an order, That after this session no lord of this house shall be capable of receiving above two proxies, or more, to be numbered in any cause voted.—(Rush. Col. 269.)

Lord Coke, in his "Fourth Institute," under the title of "Absents and Proxies," quotes from a record of Ed. IV. *De vero modo tenendi parliamentum*—"That any lord of parliament, by license of the

the king, upon just cause to be absent, may make proxy," &c.

It further appears, from the fourth institute—"That if the king, by his writ, calleth any knight or esquire to be a lord of parliament, he cannot refuse to serve the king there, *in communi illa consilio*, for the good of his country."

It hence appears—1st, That all knights and esquires (and consequently all barons who by the tenure were so obliged) as were summoned by the king's writs to the house of peers were obliged to attend. 2d, That before the conquest, and after the conquest, (except as shall be hereafter specified,) the peers were obliged to attend, not solely in person, but either personally or by proxy. For, if they attended by proxy, they could not be fined by the king; but if they neither obeyed his royal summons by person or proxy, they could be fined.

It will appear from Selden in his chapter of proxies, that several kings at particular periods endeavoured to diminish this privilege granted before the conquest, and confirmed by the conquest, to the peerage; but he quotes certain instances wherein the king, *propter arduitatem rerum*, insists in his summons upon the personal attendance of the barons, and, *pro illa vice*, will not admit of proxies.

This kind of writ of summons, so derogatory from the privileges granted to the barons before the conquest, was soon laid aside, and the privilege of acting by proxy has not been interfered with for centuries.

It further will appear, that the sovereigns of England having desisted from interfering with the privileges granted to the barons before the conquest, since confirm-

ed them by the forms used in granting patents of peerage, and in calling up peers by writ.

The form of grants in every patent of a peer is as follows:—"That he may have and possess a seat, place and voice, in the parliament and public assemblies and councils of us, our heirs and successors, amongst the peers and barons of parliament, and may enjoy and use all and singular the rights, privileges, immunities, and advantages, to the degree of a baron belonging, which other barons of this our kingdom have heretofore honourably and quietly used and enjoyed, and as they do at present use and enjoy."

It is therefore contended, that the barons and peers of the realm having derived from the crown the right of voting by proxy, before the conquest, that right having been confirmed at the conquest, the interference with that right having been renounced by subsequent sovereigns through desuetude, and all its ancient force of authority being re-established in all patents of creation and writs of summons, two consequences follow:

First that the privilege of attending as a peer by proxy flowed as a grant from the prerogative of the crown before the conquest, and is antecedent to the common law.—Second, that it being a privilege not inherent in the peerage, *ex vi necessitatis* or *ex vi convenientie*, but derivative from the crown, it cannot be annulled by any vote of any member of the lords in parliament, nor by all the lords assembled together.



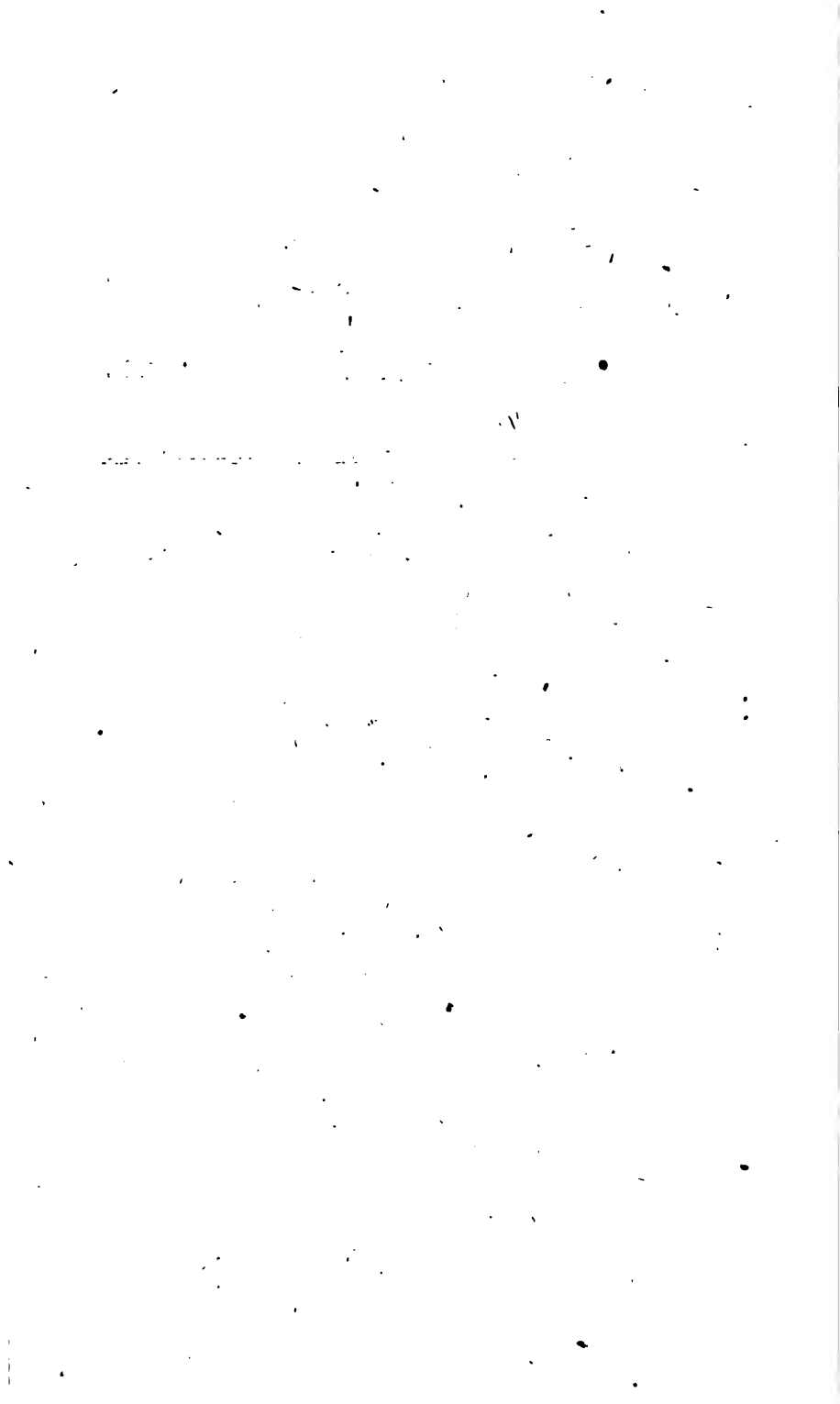
Prices of STOCKS for 1811. N.B. The highest and lowest Prices of each Stock in the course of each Month are set down in that Month.

1811.	Bank Stock.	3 p. ct. 3 p. ct. Bred. cons.	4 p. ct. cons.	5 p. ct. Navy.	Long Ann.	India Stock.	India Bonds.	S. Sea Stock.	Old Ann.	New Ann.	Exch. Bills.	Omni. 3 p. ct.	Irish 3 p. ct.	Imp. 3 p. ct.	Lottery Tickets.
Jan.	{ 244 243 }	{ 67½ 65½ }	{ 83½ 81½ }	{ 100½ 100 }	{ 17½ 17½ }	{ 178 176½ }	{ 28 pr. 19 pr. }	{ 79½ 71½ }	{ 66½ 65½ }	{ 66 65½ }	{ 14 pr. 1 pr. }	{ 5½ dis. 3½ dis. }	{ 97½ 96 }	{ 65½ 64 }	{ 92 L. 14s. 22 L. 15s. }
Feb.	{ 251 211½ }	{ 66½ 66 }	{ 83½ 82½ }	{ 101 100½ }	{ 17½ 17½ }	{ 179½ 177 }	{ 28 pr. 24 pr. }	{ 71½ 70½ }	{ 66½ 65½ }	{ 66½ 65½ }	{ 10 pr. 3 pr. }	{ 5½ dis. 4½ dis. }	{ 97½ 96½ }	{ 65½ 64½ }	{ 22 15 23 10 }
March	{ 215½ 243½ }	{ 66½ 64½ }	{ 83½ 82 }	{ 101 101 }	{ 17½ 17½ }	{ 178 177½ }	{ 27 pr. 21 pr. }	{ 71½ 69 }	{ 65½ 64 }	{ 65½ 64 }	{ 15 pr. 2 pr. }	{ 7½ dis. 5 dis. }		{ 64½ 63 }	{ 23 10 22 10 }
April	{ 210½ 238 }	{ 65½ 63 }	{ 80½ 79½ }	{ 98½ 96 }	{ 17½ 17½ }	{ 182½ 178½ }	{ 31 pr. 17 pr. }	{ 70½ 69½ }	{ 64½ 63½ }	{ 64½ 64 }	{ 10 pr. 1 pr. }	{ 7 dis. 6½ dis. }	{ 94 93½ }	{ 63½ 62½ }	{ 22 10 22 10 }
May	{ 248 241 }	{ 64½ 63½ }	{ 80½ 79½ }	{ 97½ 96½ }	{ 17½ 16½ }	{ 183½ 182 }	{ 34 pr. 14 pr. }	{ 70½ 69½ }	{ 64½ 63½ }	{ 65½ 64½ }	{ 5 pr. 1 dis. }	{ 1½ pr. ¾ pr. }		{ 62½ 62½ }	{ 22 10 22 10 }
June	{ 240½ 235 }	{ 62½ 62 }	{ 80½ 79½ }	{ 103½ 99½ }	{ 16½ 16½ }	{ 183 182½ }	{ 30 pr. 12 pr. }		{ 63½ 62½ }	{ 64 64 }	{ 4 pr. 3 dis. }	{ ¾ pr. 1½ dis. }	{ 93½ 93½ }	{ 62½ 61½ }	
July	{ 241½ 232½ }	{ 63½ 62½ }		{ 100½ 100½ }	{ 16½ 16½ }	{ 176 174½ }	{ 21 pr. 11 pr. }	{ 68½ 67 }	{ 63 62½ }	{ 62½ 61½ }	{ 6 pr. 2 dis. }	{ 1 dis. 2½ dis. }	{ 93½ 93½ }	{ 61½ 61 }	
Aug.	{ 241½ 236 }	{ 64½ 62½ }	{ 80½ 79½ }	{ 100½ 100½ }	{ 17 16½ }	{ 183½ 175 }	{ 19 pr. 10 pr. }	{ 68 67½ }	{ 63 62½ }	{ 62½ 61½ }	{ 6 pr. 1 pr. }	{ 1½ dis. ¾ dis. }	{ 94½ 94½ }	{ 62½ 61½ }	
Sept.	{ 238½ 238 }	{ 64½ 64½ }	{ 81½ 80½ }	{ 101½ 101 }	{ 17½ 17 }	{ 183 182½ }	{ 18 pr. 14 pr. }	{ 68½ 68 }	{ 64½ 64½ }	{ 64 63½ }	{ 5 pr. 1 pr. }	{ ¾ pr. ¾ dis. }	{ 94½ 94½ }	{ 63½ 62½ }	
Oct.	{ 239½ 250½ }	{ 64½ 63½ }	{ 80½ 78½ }	{ 99½ 98½ }	{ 16½ 16½ }	{ 182 181½ }	{ 19 pr. 13 pr. }	{ 68½ 68½ }	{ 63½ 63 }	{ 63½ 63 }	{ 6 pr. 4 dis. }	{ 1 dis. ¾ dis. }	{ 93½ 93½ }	{ 62½ 62½ }	
Nov.	{ 239 231 }	{ 64½ 63½ }	{ 79½ 78½ }	{ 99½ 99½ }	{ 16½ 16½ }	{ 183½ 183 }	{ 19 pr. 14 pr. }	{ 69½ 68½ }	{ 63 62½ }	{ 64 63½ }	{ 6 pr. 1 dis. }	{ ¾ pr. 1 dis. }	{ 93½ 93½ }	{ 61½ 60½ }	
Dec.	{ 231½ 230 }	{ 63½ 63½ }	{ 78½ 78½ }	{ 100½ 99½ }	{ 16½ 16½ }		{ 17 pr. 14 pr. }	{ 68½ 68½ }	{ 62½ 62½ }	{ 63 62½ }	{ 5 pr. par. }	{ 1½ dis. ¾ dis. }	{ 93½ 93½ }	{ 61 60½ }	

**LITERARY SELECTIONS**

**AND**

**RETROSPECT.**



# BIOGRAPHICAL

## ANECDOTES AND CHARACTERS.

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MEMOIRS OF THE EARL OF CHARLEMONT DURING HIS TRAVELS.

[FROM MR. HARDY'S LIFE OF THIS NOBLEMAN.]

**H**IS lordship left Turin on Tuesday, October 27th, 1748, on his way to Rome, by Bologna. He remained that winter at Rome and Naples, but in the subsequent April he, with Mr. Francis Pierpont Burton, Mr. Scott, Mr. Dalton, and Mr. Murphy, sailed from Leghorn, on their voyage to Constantinople, and the East.—Mr. Pierpont Burton, afterwards Lord Conyngham, was, on his return to Ireland, member for the county of Clare. He was beloved by every one who knew him; and Lord Charlemont, by whom, in the course of their travels, he is always familiarly called, Frank Burton, having occasion to mention him particularly at Constantinople, says, “that he was “endowed by nature with every endearing faculty which could render a friend amiable; with every “perfection of heart which constitutes the best, and surest foundation for friendship, and secures its “duration; the dear, and agreeable

“companion of his travels. His “countenance was benign, his figure “tall, and remarkably large and corpulent. He was well known and “esteemed by men of rank, and letters too, in England, particularly “Sterne, who highly valued and “esteemed him.”

“Mr. Dalton went with Lord Charlemont as his draughtsman. It has been stated to me, that as an artist he was miserable, but exact and faithful: and that his etchings of religious ceremonies, and customs of the Turks, with explanations, though indifferently executed, are remarkably clear and satisfactory. Murphy has been already mentioned. “On the 6th of May, 1749,” says Lord Charlemont, “we approached the city of Messina, having securely passed the poetical dangers of Scylla and Charybdis. We were exceedingly struck with the beauty and magnificence of this city, when viewed from the sea. The sun was newly risen, and richly illuminated

a splendid theatre of palaces, occupying the space of a full mile, which is regularly built round one-half of that beautiful, and extensive bason of clear and unruffled water, which forms a harbour at all times commodious and safe. Between the magnificent crescent, or semicircle, and the water, is a level space, at least one hundred feet in breadth, bounded on one side by the buildings, and on the other, by a handsome parapet of hewn stone, opening regularly into several wharfs for the convenience of landing. The palaces are all exactly similar, and the governor's palace, a building of considerable extent and grandeur, stands alone at one extremity. The entrance into the city, which extends itself behind this superb quay, is through noble and spacious arches, placed at proper, and regular intervals, and forming a most striking part of the general plan. Opposite to the quay, and near the entrance into the port, stands the citadel, a fortress of considerable strength, and massive magnificence, which, with the castle of St. Salvadore, another strong fortification in view, adds greatly to the beauty of the prospect.

"A boat was now sent alongside of our ship to inform us, that till we had passed a proper examination by the officers of health, appointed for that purpose, we must not enter the city; and a naked and uninhabited part of the beach, at a considerable distance, was pointed out to us, where alone we could be permitted to land. In obedience to these directions, getting into our boat, we rowed on shore, and here we were detained above three hours, before any one came near us. At length the officers approached, keeping, however, a due distance, and examined us respecting the port from whence we had taken our departure, which being found to be

Leghorn, a place perfectly unsuspected of contagion, they began to be a little more familiar. Our bills of health were now produced, and found to be perfect, and we were desired to enter a sort of house, or square cottage, erected for the purpose of further examination. As soon as we had all crowded into this wretched inclosure, a bar of wood was put across the door, at about three feet in height from the floor, and we were ordered to show our health, and agility, by leaping over this bar, a feat which was easily, and merrily performed by all of us, Burton only excepted, whose corpulent unwieldiness was ill adapted to the exercise of leaping, and had well nigh prevented his getting *pratick*.—After several ineffectual trials, and some oaths, his efforts were, at length attended with success, and we now proceeded to the last probation, being ordered to strike ourselves violently on our groins, and on the insertion of our shoulders, being the parts of the body which are liable to pestilential tumours. Here also my friend Burton was not a little embarrassed; for, though perfectly free from the plague, and, at that time, from any other disorder, his groin was by no means in a situation to bear any rough treatment."

"Such was our whimsical probation, which, as may easily be imagined, afforded us no small entertainment. But our merriment was of short duration, giving way, as soon as we had entered the city, to ideas of a nature opposite indeed. Here every thing we saw induced us not only to excuse, but to applaud that caution, which had detained us so long, and given us so much trouble. Every object too plainly indicated the miseries which had been lately felt. This noble city, not long since one of the finest in the world,

and the pride of Sicily, was now the seat of ruin and desolation! Scarcely a passenger in the streets, where grass had covered the pavement; and the Jews, that were to be seen, wretches in whose pale countenances were clearly to be traced sickness, famine, despair, and, sometimes, guilt and violence; the shops shut up, and only here and there a miserable stall open for vending some necessary, but trifling commodities. The noble palaces, heretofore seats of triumph and festivity, were now involved in silence and desolation, stripped of their inhabitants, presenting to the saddened mind the shocking idea of the final wreck of mortal beauty, when the animating soul is fled."—Thus did Messina appear, when Lord Charlemont visited it; and such were the dreadful consequences of a plague, equal, perhaps, in horrors, to that of Athens, or Florence, as described by Thucydides, and Boccaccio. It raged with violence for three months, during which time it swept away, in Messina alone, the population of which was estimated at sixty thousand inhabitants, not less than forty-seven thousand. This calculation Lord Charlemont took at a medium, and was certain that it was rather under, than above the truth. He must have been very accurate, as he consulted the best informed persons,—our counsel, Mr. Chamberlayne, other gentlemen of the English factory, and the governor of Messina, the last of whom entered particularly into the subject with him, and all were on the spot during the plague's melancholy continuance.

"A Genoese Tartar, under Neapolitan colours, laden with wool, bale goods, and corn, first introduced it. The plague had raged in the Morea, and this vessel came directly from Patras to Messina. But the captain

pretended that he had come from Brindisi, and counterfeited sound bills of health from that port; but his death in the Lazzaretto, (for he was ordered to perform quarantine) and that of some of his sailors, first awakened suspicion. The Messinese, however, were not sufficiently attentive, till it was too late; but the English factory happily took the alarm, shut themselves up in their houses, and, by absolutely declining all intercourse with the inhabitants, (fortunately their warehouses were well stored with flour, and various provisions) entirely and providentially escaped. Not one of that respectable body of merchants, or their servants, caught the infection, except a Sicilian boy, who, tired of confinement, jumped out of a window, went into the city, and died the next day. It is remarkable, that the departure of this dreadful visitant was as sudden as its first invasion; but its horrible effects were felt for several years afterwards. Lord Charlemont concludes his account of this memorable calamity with the following just observations.—"The chief, and real source of this evil, must be looked for in that cause, which has often been assigned, the absurd and wicked doctrine of predestination, which is strongly inculcated in the Coran, and firmly believed by the generality of Mahometans. Relying on this rooted opinion, they suffer the contagion to take its course, unchecked, unopposed, freely conversing with those who are infected, and never scrupling to inhabit the dwellings, and even to wear the clothes of those who have died of the disorder. A striking instance in proof of this incontrovertible maxim; that whatever may be the reason, why evil is, necessary in the general system, and whatever ill may, in consequence of this moral

ral necessity, be inflicted on mankind by an all-wise Providence, they are almost universally multiplied and aggravated by our own obstinate vice or folly."

"It may be concluded, that Lord Charlemont did not remain long at Messina. He arrived at Malta, the 20th of June following, which, as will appear shortly; he afterwards re-visited. In his voyage to Constantinople, he stopt at one or two of the Greek islands; Smyrna, the Dardanelles, Tenedos, which he examined carefully, and, (whilst a vestige of taste or sensibility remains on this earth) the ever-interesting Troade.

"Lord Charlemont proceeded from Constantinople to Egypt. In his voyage thither, he visited Lesbos, Chios, Micon, Delos, and Paros, from which island he sailed to Alexandria. Having seen every thing that was worthy the curiosity of an enlightened traveller in Egypt, that land of wonders, as he termed it, on the 22d October, 1749, he left Alexandria, with an intention of visiting Cyprus, which he came in sight of; but continued contrary winds, and violent gales, forced him, after seven days voyage, to anchor in Rhodes. He sailed from thence for Athens. The wind not being fair on the day that he left Rhodes, he continued tacking between that place and the mountainous, rocky coast of Caria, now called Carimania. On the morning of November 9th, being within about three miles of the point of the promontory of Doris, which forms the south-east side of the Sinus Cceramicus, now called the Gulf of Stanco, perceiving, as he came near land, considerable ruins on the declivity of the mountain, and the situation of the place agreeing with that of Cnidus, he, with his fellow-travellers, took their boat, and rowed

ashore. The first object that struck them on landing, was a most noble theatre, all of white marble; the breadth in front 190, and the depth 150 feet. They counted thirty-six steps, or seats, all entire, and joined with the most perfect accuracy. Above the theatre were the beautiful remains of a magnificent temple, of the whitest marble, perhaps Parian, from its purity and grain;—this, Lord Charlemont presumed, was the temple of the Cnidian Venus, which Praxiteles enriched with the famous statue of that goddess, the perfection of his art, in the estimation of the ancient world of taste. The architecture being Corinthian, which order, with the Ionic, was usually appropriated to the temples of goddesses, Minerva excepted, as the Doric was to the gods and heroes, induced him the more to indulge this conjecture. Altogether, he was delighted with what he saw here, and blessed the contrary winds that afforded him that pleasure.—He then visited Stanco, the ancient Cos, or Coos. "It contains," he says, "little worthy a traveller's notice." He then crossed over to the continent, and came to a place called Bodromi, nearly opposite to the island of Stanco. Bodromi is wretched, but it presented such noble ruins, marbles, and every remains of a great city, that, with the scite, confirmed him in the opinion of its being the famous Halicarnassus, the capital of Caria. "It enriched us," says Lord Charlemont, "with drawings of the finest basso relievos, the most precious remains of ancient Greek taste and workmanship, that our travels have, as yet, afforded us."

"Cynthus, now Thermia, was then visited by him; and, on the 23d of November, he was opposite to Egina. Soon after, he and his companions entered the Piræus, where they staid  
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one night, waiting for the return of their druggerman, whom they had sent with their firman, to be laid before the Governor of Attica, and the next morn proceeded to that city, which must ever surpass all other cities in renown, Athens.

"At this place, the very mention of which must, I think, fill a refined mind with delight, Lord Charlemont remained, as we may suppose, for some time. As he came near Athens, he was particularly struck with the temple of Theseus, "Which," says he, "alone merits a voyage to Greece." The Morea was visited by him; Thebes, Corinth, and the ancient Eubœa; of the last-mentioned places his lordship has given a most accurate, and pleasing account. It is alike replete with erudition, and with taste. To abridge, would be to injure it, and it is far too extended for these memoirs.

He returned to Athens on the 14th of December, 1749, from the harbour of Aulis, that renowned haven, which the mighty genius of Homer, and the pathetic, moral muse of Euripides, have clothed with a portion of their never-dying fame!—He had visited almost every island in the Egean; some of them on his way from Italy to Constantinople, or from that city to Egypt. In his voyage from Alexandria to Athens he touched at Rhodes, as I have already stated; but it appears that he was there a second time. What his exact course was, I am not able to ascertain; however, this is certain, that on his way from Rhodes to Malta, Lord Charlemont, with his companions, encountered a storm of the most terrific kind, which he has well described. "After a few days of tolerable, though dark, and threatening weather, we were overtaken, on the 20th of January, by one of the most violent hurricanes that ever was

known in those seas. The storm, which was at south-east, the most dangerous of all winds in the Mediterranean, dreaded by sailors under the name of Levanter, began about noon, and continued all day, gradually increasing. Whilst we had day-light to assist, and to comfort us, we put ourselves before the wind, and bore away with what little sail we could carry. Night came on, and the storm redoubled. Ignorant in what part of the sea we then were, for the darkness of the weather had for some days past prevented us from taking any observation, we guessed, as in cases of this kind we are always prompt to guess the worst, that we were driven up the Adriatic, the sea of all others most feared by mariners, and, therefore, dreading the consequences of a lee-shore, destitute of harbours, and afraid any longer to leave ourselves at the disposal of the wind, we put the helm about, and lay to, under our courses, double reefed. Now was but the beginning of horror. The tempest raged with tenfold fury. The gloom of night was unnaturally horrid. The scudding clouds at times divided, affording faint and transient gleams of brassy light, far more dreadful than the deepest darkness. The waves rose mountain high; and to me, who, supported in the gangway, stood gazing at the magnificent ruin, the whole ocean appeared in flames, through which the vessel ploughed her desperate way. Sometimes perched on the giddy brow of the stupendous accumulation, and again plunging precipitate into the flaming abyss. The motion was now grown so violent, that I could no longer support it, and I was unwillingly preparing to go down into the cabin, when a squall of wind, to the fury of which the settled tempest became calm, laid the ship down al-

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most on her side, and broke three out of her five main shrouds. The cannon broke loose, and, together with all our loading, and a great part of the ballast, rushed at once to the lee-side of the vessel, with such a horrible crash, that the ship seemed to have burst in pieces. If the whole globe should, by sudden explosion, be rent asunder, I question whether the shock would be greater to each individual, than what was now felt in our little world. Every heart quaked with fear, and horror appeared in every countenance. Nor, even after the immediate shock was over, did the consequences seem less terrible. The ship, weighed down by the shifting of her ballast, &c. was unable to right herself, and lay, gunwale under water, at the mercy of the billows, which seemed, every instant, ready to devour her. Our captain now, a brave and experienced seaman, addressed the sailors, in words to this effect: "My lads, you see the situation to which we are reduced. The vessel is old, and not much to be depended on. If we should spring our main-mast, she would, undoubtedly, go to pieces, and that must be the consequence of another such squall. I know of no resource, but to make fast the buoy rope to the mast-head, which, being belayed at the ship's side, may serve as a false shroud, and may possibly preserve the mast. I well know the difficulty of the attempt. To go aloft in such a situation is more than I can venture to order. I am an old sailor, and should fear to attempt it. But it is our only means of safety, and if there be a fellow among you brave enough,"—Here he was instantly interrupted by *Tom Sillers*, (I never shall forget his name) who stood next to him: this truly, and I may add, philosophically brave fellow,

taking from his cheek the plug of tobacco, cried out, "by G—, master, if we must die, 'tis better to die doing something." His words accompanied his action. He was presently at the mast-head,—the buoy-rope was made fast, and the mast belayed; and thus, by the astonishing bravery and activity of one man, that danger, which seemed imminent, was at least postponed. Such are British sailors!

"We now retired to our beds, dreading the worst, yet not without hope; when, after about an hour's horrid uncertainty, the captain entered our cabin, and told us, that he feared all was over. That, though at sea from his infancy, he had never seen such a night. That the ship indeed might possibly ride it out. Yet, that he would recommend it to us, to prepare for the worst. Now this sentence was felt may easily be judged. A dead silence ensued, which lasted for some minutes, but was finally broken by my friend, Frank Barton, who lay next bed to me. 'Well,' exclaimed he, and I fear, with an oath, 'this is fine indeed! Here have I been pampering this great body of mine, for more than twenty years, and all to be a prey to some cursed shark, and be damned to him!' The unexpected oddity of such an exclamation at such a time, the profound seriousness, and consequent comicalness, with which it was uttered, together with the character and figure of the man, for Frank was a *Bon Vivant*, almost as conspicuous for size and corpulence, as for the excellent temper of his mind, were motives of mirth too strong to be resisted, and, in the midst of our fears, we burst out into a loud laugh. Neither let this incident; this comic break in our tragedy, appear unnatural. Nature,

ture, and Shakespeare, both inform us, that character will prevail in the midst of distress.

"Our merriment, however, was but of short duration; and now the ship-carpenter entered our cabin. This fellow, who was an excellent seaman, had been a great favourite of ours, and, consequently, was our friend. 'Master,' said he, 'the captain has, I find, been with you. But never fear—the ship is a tight one—I have examined her thoroughly. There is not an inch in her carcass with which I am unacquainted. She is strong and good. There is indeed one rotten plank, and that a principal one—let that hold, and we are all safe.' This consolation, as may easily be guessed, was not exactly fitted to relieve us; forgetful of the strength and tightness of the vessel, our minds, as may be supposed, ran on the rotten plank. In this situation we passed the tedious night; shut up in a noisy and agitated dungeon, the gloom of which was made visible by the dim twinkling of a swinging lamp, and which had but too much the semblance of a tomb already prepared for us. Scarcely able, with all our strength, to keep ourselves in our beds; and bruised in every part of our bodies, by our continued efforts, and by the violence of the agitation; wet by the sea-water, which dashed in through every crevice, and gave us a melancholy foretaste of the final wetting which we expected, and dreaded; we seemed cut off from all hope, but that of a speedy period to our lives and tortures; yet still we hoped,—the principle of religion was active in our souls; and despair fled before it. Woe to the wretch who, in such a situation, is destitute of this comfort! Our prayers were heard; day at length appeared; the sun arose; the storm abated; soon we were

able to quit our dungeon. The tempest now subsided into a steady gale, and no effect remained but that uneasy swell; the certain consequence of a violent storm. Still, however, our situation was disagreeable: our shattered vessel still lay with her gunwale close to the water's edge; and, utterly ignorant where we were, we knew not what course to steer, or where to seek protection.

"A man was now sent up to the mast-head to discover land; a second; a third went aloft; still no land was to be seen.—At length, one cried out from above, in a voice which seemed to us, indeed, from Heaven, that he saw land! The captain himself went up and verified the discovery. Land there was directly before us, and we were hastening towards it; gradually it grew more and more visible, and we could now discern it from the deck; but what was our joy, when we found that this land was the identical island of Malta, the end and purpose of our voyage. It is impossible to describe our feelings: I shall not attempt it. All happiness is more or less perfect, as it is more or less contrasted by misery; and here was a sudden transition from fear to hope, from danger to security, from misery to joy, from impending death to life!

"A few hours now brought us into the harbour, one of the safest and best in the world. We were presently surrounded by a multitude of boats, laden with every kind of refreshment; and particularly what to sea-faring men is most of all things agreeable, with plenty of froth, and of garden-stuff, which, in this happy climate, was now in the greatest perfection; and, to give additional relish to this pleasing circumstance, nature had now re-assumed her functions, and our stomachs were importunate for food, having fasted  
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for near two days, as it had not been possible to dress any victuals, even after the storm had abated, on account of the violent swell. Every thing now concurred to delight us; past misery, present comfort; and to reflect on our distress was happiness: to have had so near a view of that undiscovered country, from whose bourne no traveller returns; to have peeped securely into the cave of death; to have tried our hearts at the approach of dissolution, were circumstances which afforded us the highest satisfaction. All nature now smiled on us. To view the crowd of idle mortals who gathered on the shore to gaze upon the vessel, which had weathered the storm, was a new source of exultation to those who had so lately feared never more to behold their fellow-creatures. Our sailors were to us objects of admiration, of gratitude, and of love; nay, our ship, which had so bravely held out in such a trial, inspired us with affection, insomuch that, though we found ourselves condemned to forty days imprisonment in her, as we were now obliged to perform quarantine, we were, I suppose, the happiest mortals on the globe. We had, besides, a thousand things to do: our ship to set to rights; our papers to settle; the journals of our long and curious voyage to look over, and to put in order.—In short, we did not suppose that the forty days would be more than sufficient for our several projected occupations; yet such is the restless nature of man, ten of them had scarcely elapsed, when we grew weary of our situation; and we were more than rejoiced, when, upon our petition, accompanied by sound bills of health, the time of our confinement was, by the kind grand master, shortened.

“On the three and twentieth day

after our providential escape, we were permitted to go on shore, and took up our abode at our consul's house in the city of Malta. Here we were received with the most cordial affection. Having before called at this island on our way to the Levant, we found ourselves among old acquaintance. Every day was a new festival; the knights of the several nations into which the order is divided gave us splendid entertainments. The grand master, Don Emanuel Pinto, an old and very respectable Portuguese nobleman, was peculiarly kind to us. We dined at the palace, with his high chamberlain; and, though the etiquette would not permit him to eat in company with us, as soon as dinner was removed he joined our society, and remained with us the whole evening; nay, so far did he push his civility, that masked balls, though for some years discontinued, and prohibited by positive edict on account of some unlucky riots, were again allowed; and it was specified, that this was done on our account, and for our entertainment. And here I must not omit to mention a singular ceremony observed at my introduction to this prince—All Grandees of Spain, peers of France, British and Irish lords, are, it seems, by long prescription, allowed to be presented with their hats on. In consequence of this privilege, I entered his chamber alone, with my head covered, and he received me in the same situation. After the first compliments were passed he pulled off his hat, and I did the same, when the remainder of the company was presented. Thus agreeably did we pass our time in this hospitable island. Our mornings were spent in excursions through the country, for which purpose the grand master provided us with horses from his own stables: great

great dinners were every day given to us. In short, it was happy for us that we had not much time to reside here, since our constitutions, however young and vigorous, could not long have resisted the continued riots of this Circæan region, where there is no intermission to festivity of every sort, drinking not excepted; which, though to the last degree dangerous in this hot climate, is but too much the fashion here, especially among the German knights.

"It may be well conceived, that a multitude of gentlemen, in the prime and vigour of youth, cooped up in a small island, with little or no occupation, but what they can provide for themselves, should naturally fall into dissipation. And so it is; there is not, I suppose, in the world, a set of men so thoroughly debauched as these holy knights, these military monks, defenders of the faith against infidels!—Obliged by their vows to celibacy, they make no scruple to take, without bounds, illicitly, that which is denied them in a lawful way. The town of Malta is one vast brothel. Every woman almost is a knight's mistress, and every mistress intrigues with other men. Hither flock, as to an established mart for beauty, the female votaries of Venus from every distant region—Armenians, Jewesses, Greeks, Italians! The few virtuous women, natives of the island, are retired to Medina, an inland city, about eight miles from Malta, and here they live, tolerably free from solicitation, not so much on account of their distance, as because the Maltese blood has too much of the Moor in it, to be exceedingly tempting.

"With respect to the constitution, the rules, and administration of the order, I shall say nothing concerning them; the subject has

been too often treated, and is too well known, to admit of any farther information from me. I shall only mention, that, whatever they may formerly have done, the knights of Malta are, at present, of little annoyance to the Turks; their galleys, and two or three very large men of war, make frequent cruizes; and the knights, who are yet in their novitiate, perform aboard them, what they call their caravans, without a certain number of which they cannot be received into the order of professed knights. But they seldom meet any Turkish ships of war, and usually content themselves with picking up a few straggling traders, the greatest part of which belongs to the poor Greeks. I will add one circumstance more, as I can mention it with pleasure. As at their primitive institution the knights of Malta were Knights Hospitalers, in order to keep up the charitable institution, attendance upon the sick is still made a principal part of their duty; and one of the principal buildings in the city is a vast hospital, where the diseased, from every part of the world, are received, and nobly treated. The knights constantly attend in rotation, and themselves administer to the patients. Nothing can be more pleasing to a feeling mind, than the generous, kind, and affectionate manner in which these poor wretches are treated; and such is the magnificence of the institution, that every culinary vessel belonging to the hospital is made of solid silver.

"The wonderful extent, and strength of the fortifications, which have rendered this place, to all appearance, impregnable, and which are daily increasing, a very large revenue being annually appropriated to their augmentation, is also a matter of too great notoriety to be in-

sisted on by me: I shall, therefore, conclude this part of my subject with mentioning a fact, not wholly uninteresting, which came to my knowledge during my residence at Malta, and was related to me by the most credible eye witnesses.

"Towards the end of that war with France, so generously undertaken, and so vigorously carried on, by England, in defence of the House of Austria, there happened to be, in these parts, an English privateer of some force, and commanded by a captain of such skill and bravery, that he reigned paramount in the Mediterranean, daily sending into the port of Malta French prizes of considerable value. It may easily be conceived, that, in a war circumstanced as this was, parties must necessarily have ran high in an island where the principal inhabitants were composed of young gentlemen, collected from all the several belligerent powers. The Austrian and Piedmontese knights, on the one hand, and the French and Spaniards on the other, maintained a perpetual warfare. The French knights, irritated by the successes of our English captain, and not choosing to bear any longer the consequent taunts of their adversaries, wrote to their correspondents at Marseilles an account of the hazard to which their trade was exposed; and prevailed on them to fit out a privateer, which might be able to cope with the Englishman. In consequence of these representations, an armed vessel speedily arrived at Malta, well equipped, of force almost double to that of its intended antagonist, and commanded by an officer of the highest character for courage and naval knowledge. The captain was received with acclamations. At length he sailed out of the harbour, in search

of the devoted Englishman, as to a certain victory. The French party now exulted in confidence of sure and brilliant success; but, after a sufficient time, began to be impatient for the return of their hero, and the ramparts were constantly crowded with his expecting friends. At length two ships appeared in the offing, one apparently having the other in tow. As they approached, French colours on the foremost ship were seen with transport. Nothing could equal the exultation of the Gallic party. The ships still drew nearer, with a favorable gale; and now they turned into the harbour, saluted by triumphant shouts, when, to the amazement of all the spectators, the French colours were suddenly hauled down, and the English hoisted in their stead. The fact was, that, after a long conflict, in which his ship had been exceedingly shattered, the English captain had, at length, prevailed; but finding his own ship too much impaired to make sail, he had boarded the prize, and taken the conqueror in tow, choosing to come in under French colours, in order to enhance the disappointment of his enemies, and the consequent surprize and joy of his friends.

"When Lord Charlemont returned to Italy, he became, after a certain time, so accurately versed in its language, that he was, on that account, as well as the variety of his accomplishments, truly acceptable to all persons of rank and fashion, and especially to the eminent Italian literary characters. At Turin he renewed his connection with the Prince Royal, then recently married to a Princess of Spain, and at whose marriage Lord Charlemont, by the particular request of the Prince, was present. They were nearly contemporaries as to age; and, when  
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his Royal Highness became King of Sardinia, he desired more than one illustrious English traveller to tell Lord Charlemont, that if he returned to Turin, he would find Victor Amadeus unchanged, except in station. He made excursions to Sienna, Lucca, and other places, with Lord Bruce, the present Earl of Aylesbury; a nobleman to whom, during his life, he was invariably attached, and ever spoke of with the most affectionate regard. Whilst at Verona, the Marchese Scipione Maffei, so deservedly mentioned by Lady Wortley Montague, as "having the happiness of giving his countrymen a taste of polite pleasure, and shewing the youth how to pass their time agreeably without debauchery," distinguished Lord Charlemont by every kind attention. The Marquis was then far advanced in life, and died soon after. He gave his Lordship a copy of the celebrated tragedy of *Merope*; and not only at the literary society which met in the Maffei Palace, but in almost every erudite assembly, in the great towns of Italy. Lord Charlemont held a principal seat. Of some of them he was not only solicited, but even courted to become a member.

"Next to Athens, Rome was the object of his travels; he continued there almost two years, and was one of the earliest examples amongst the English, of keeping house for himself, and his friends, whilst in that metropolis. Murphy was of great assistance to him; he not only superintended the whole business of house-keeping, but read or walked with him a considerable part of the morning. Murphy went out prepared, not only by general, but particular reading, for their almost daily investigation of antiquities; and the Cicerone who attended

them, told Lord Charlemont that, where history was to be consulted, he learned as much as his Lordship could, from Murphy. Lord Charlemont went in the evening, like other young men, to concerts and conversaziones. Murphy seldom attended on such occasions; he was engaged with his books, or the company of some quiet literary friend. But from his long residence at Rome, and unremitted intercourse with Lord Charlemont, he was at last much noticed; his learning, his simple manners, his character altogether, procured him real esteem, and it was suggested to him that, if he went abroad, he would be well received; but he would not venture into splendid company.

"Lord Charlemont was a kind benefactor to several young artists then at Rome. Sir William Chambers, whose fortune, at that time, was very limited, and his friends or acquaintance not many, he particularly distinguished, and was of signal service to him. It is proper also to state, that Sir William, to the last, preserved the utmost gratitude and affection towards his Lordship. He patronised Parker, and two or three painters, whose names I do not distinctly remember. Piranesi he endeavoured to encourage; but that eminent artist was self-willed, and often violent in his temper. He took something amiss of Lord Charlemont (what, I know not, nor is it now of any consequence); but, after he had dedicated three or four of his prints to his Lordship, he struck the name out, and inserted that of the two Adams's. Not content with that, he published an abusive letter to Lord Charlemont; some copies were sold, and dispersed, before any one had heard of the quarrel; but several persons in authority at Rome

were

were extremely angry with Piranesi, when they read his pamphlet; and he would have been treated with some severity, had not Lord Charlemont's usual good nature interfered. Piranesi made an apology, the pamphlet was suppressed at Rome, and the belligerent parties were again on amicable terms.

"To mention the various persons of rank and estimation at Rome, to whom Lord Charlemont was well known, would be to give the names of the most respectable of the Roman or Neapolitan nobility. Some may be touched on—Cardinal Albani, Cardinal Passionei, who was librarian of the Vatican, an eminently learned man, and, like Lord Charlemont, a great collector of books and manuscripts. He was also a politician, and often engaged in affairs of state, as nuncio or plenipotentiary. Lord Charlemont visited him sometimes at Frascati, where he had a variety of rooms, or cells, as he called them, in which he lodged some of his particular friends, and distinguished them by the name of saints. Those saints were of both sexes, whose rank, and agreeable estimable qualities, not their years, or severity of manners, entitled them to the honor of canonization. Whether Lord Charlemont's name was enrolled in their calendar I cannot say, but he was much valued by his Eminence, who, at that time, was far advanced in life.

"It may be almost superfluous to notice, that Lord Charlemont cultivated and enjoyed the friendship of, it may be said, all the English of worth and condition at Rome. He corresponded with several then on their travels in Italy, or different parts of Europe; and their letters to him (such, at least, as I have seen) breathe, not only affection for,

but, indeed, admiration of him. To his honor also be it recorded, that the friendships, thus early established, never gave way, but survived all the tempests and shocks of political differences, which the best connexions are too often exposed to, and become, in consequence, disjoined, or are no more heard of. With some his attachments encountered no such hazard, for the same harmony reigned in their political, as private sentiments. The Lords Cavendish might be adduced as instances of this; and the Marquis of Rockingham was as dear to him at London, in 1782, as he had been at Rome in 1751.

"By one very eminent, and very accomplished man, Lord Charlemont was much noticed whilst in Italy; and, through the course of a long life, most cordially esteemed and regarded. This was the French ambassador at Rome, the Duc de Nivernois. I shall have occasion to mention him more particularly in the progress of these memoirs. Lord Charlemont, at first, considered him merely as an elegant gentleman, and one who carried the fashion, and the *bel air* of Paris, to the utmost extremity. But a nearer connection soon developed in him considerable erudition, a refined taste, soundness of judgment, and, far better than all, an excellent heart. Towards the end of autumn, and the close of 1753, Lord Charlemont was confined at Rome, by a long and very severe indisposition, during which the Duke paid him several visits, and soothed many a weary hour by the amenity and agreeableness of his conversation. That amiable, and, perhaps, that best of all the Pontiffs, Benedict the Fourteenth, may be said to have been the mutual friend of both. With the ambassador his intercourse

intercourse was necessarily far more frequent than with Lord Charlemont; but, to the latter, he not only paid all the civility and attention that could be expected from an old Pope to a gay young Lord, but even regarded him, as his knowledge of Lord Charlemont increased, with a kindness and benevolence that was almost parental. On the part of his Lordship, no one could carry every sentiment of respect and gratitude farther than he did to the venerable good man: and, when the Duc de Choiseul (who succeeded Monsieur de Nivernois in the embassy at Rome), under the pretence of asserting some wretched prerogative of his station, behaved towards the Pope in a manner peculiarly offensive, no one was more indignant than Lord Charlemont when he heard it. He had not long bid adieu to Rome, at the time the interview, or rather interviews, alluded to took place; and it has been suggested, that this was probably the original cause of his dislike to Monsieur de Choiseul, whose talents he greatly admired, but whose name he could scarcely bear the mention of. Of the virtues, amiableness, and agreeable good sense of Madame de Choiseul, he had indeed the most exalted opinion.

“ Lord Charlemont, on quitting Rome, revisited Turin, and continued between that city and Florence from the beginning of March to the end of July, 1754. He visited Spain, but what parts of that kingdom does not appear, except Barcelona, from which place he obtained a passport, to go with his faithful Achates, Murphy, to France. The passport was granted by the Marquis de las Minas, and contains an enumeration of that nobleman's titles, and places of honour or trust,

almost equal in length to that of the last Duke of Ormonde's.

“ The reader shall not be detained by any account of the amphitheatre, or the *Maison Quarrée*, at Nismes, which Lord Charlemont, of course, visited whilst in the south of France. Exquisite as his taste was for the noble remains of Roman, and still more, Grecian architecture, he was of the same opinion with that person who said, that a truly eminent man was more an object of refined and liberal curiosity, than the most renowned edifice. It chanced that, during his residence in that part of France, an opportunity was afforded him of giving this sentiment entire scope. But as he has himself expatiated fully on the subject, the reader, no doubt, will be more pleased to attend to him, than to his Biographer.

“ Of all the enjoyments of which the human mind is susceptible, I know of none that is more universally delightful, than the pleasure of travelling; and when we search into the cause of this delight, the gratification of curiosity, that passion with which, for the most salutary purposes, almost every man is plentifully endued, immediately occurs as a motive, fully adequate to account for all our feelings upon this occasion. Yet is there another motive, which, indeed, is known to mix itself in almost all our pursuits, and which, in this also, must, I think, be allowed to have a considerable share. The motive I mean is vanity; the pride of doing what others have not been able to do; of seeing what others have not seen, of being able to relate the perils we have passed, and the wonders we have beheld, contributes not a little to give an edge to our curiosity, and to prompt us to endure every hardship,



[16] *Character of David Hume, Esq. by the Earl of Charlemont.*

ship, to dare every danger. If this be true, it most necessarily follow, that every object affords pleasure to a traveller in proportion as he esteems it adapted to procure him the delight of future narration, and the respect of those to whom he shall narrate; and surely there is nothing in the power of travel to procure us, which more eminently conduces to this desired purpose, than the acquaintance of such men as are renowned for their virtue, and for their abilities. As the productions of the Divinity must infinitely transcend all the works of human skill, surely a great and virtuous man, the noblest work of God, must ever be the first object of curiosity; and an intimate ac-

quaintance with such a man must more essentially flatter our pride, than all the other wonders which travelling can afford. Whether all travellers think in this matter as I do, I cannot tell; but this I know, that my vanity is infinitely less flattered by my having viewed the pyramids of Egypt, than by my having had the honor of an intimacy with President Montesquieu;—and for this reason, as well as because every anecdote which relates to a person of his eminence is always acceptable, I shall recount the manner in which I became acquainted with him, and whatever circumstances, be they ever so trivial, I can recollect concerning him, during the time of our acquaintance."

CHARACTER OF DAVID HUME, ESQ. BY THE EARL OF CHARLEMONT.

[From the same Work.]

"THE celebrated David Hume, whose character is so deservedly high in the literary world, and whose works, both as a philosopher and as an historian, are so wonderfully replete with genius and entertainment, was, when I was at Turin, Secretary to Sir John Sinclair, plenipotentiary from the court of Great Britain to his Sardinian majesty. He had then lately published those philosophical essays, which have done so much mischief to mankind, by contributing to loosen the sacred bonds by which alone man can be restrained from rushing to his own destruction, and which are so intimately necessary to our nature, that a propensity to be bound by them was apparently instilled

into the human mind by the all-wise Creator, as a balance against those passions which, though perhaps necessary as incitements to activity, must, without such controul, inevitably have hurried us to our ruin. The world, however, unconscious of its danger, had greedily swallowed the bait; the essays were received with applause, read with delight, and their admired author was already, by public opinion, placed at the head of the dangerous school of sceptic philosophy.

"With this extraordinary man I was intimately acquainted. He had kindly distinguished me from among a number of young men, who were then at the academy; and appeared so warmly attached to me, that it

was apparent he not only intended to honour me with his friendship, but to bestow on me what was, in his opinion, the first of all favours and benefits, by making me his convert and disciple.

"Nature, I believe, never formed any man more unlike his real character than David Hume. The powers of physiognomy were baffled by his countenance; neither could the most skilful in that science pretend to discover the smallest trace of the faculties of his mind in the unmeaning features of his visage. His face was broad and fat, his mouth wide, and without any other expression than that of imbecility. His eyes, vacant and spiritless, and the corpulence of his whole person was far better fitted to communicate the idea of a turtle-eating alderman, than of a refined philosopher. His speech, in English, was rendered ridiculous by the broadest Scotch accent, and his French was, if possible, still more laughable; so that wisdom, most certainly, never disguised herself before in so uncouth a garb. Though now near fifty years old, he was healthy and strong; but his health and strength, far from being advantageous to his figure, instead of manly comeliness, had only the appearance of rusticity. His wearing an uniform added greatly to his natural awkwardness, for he wore it like a grocer of the trained bands. Sinclair was a Lieutenant-general, and was sent to the courts of Vienna and Turin, as a military envoy, to see that their quota of troops was furnished by the Austrians and Piedmontese. It was, therefore, thought necessary that his secretary should appear to be an officer, and Hume was accordingly disguised in scarlet.

"Having thus given an account of his exterior, it is but fair that I

should state my good opinion of his character. Of all the philosophers of his sect, none, I believe, ever joined more real benevolence to its mischievous principles than my friend Hume. His love to mankind was universal and vehement; and there was no service he would not cheerfully have done to his fellow creatures, excepting only that of suffering them to save their souls in their own way. He was tender-hearted, friendly, and charitable in the extreme, as will appear from a fact, which I have from good authority. When a member of the university of Edinburgh, and in great want of money, having little or no paternal fortune, and the collegiate stipend being very inconsiderable, he had procured, through the interest of some friend, an office in the university, which was worth about forty pounds a year. On the day when he had received this good news, and just when he had got into his possession the patent or grant entitling him to his office, he was visited by his friend Blacklock, the poet, who is much better known by his poverty and blindness, than by his genius. This poor man began a long descent on his misery, bewailing his want of sight, his large family of children, and his utter inability to provide for them, or even to procure them the necessities of life. Hume, unable to bear his complaints, and destitute of money to assist him, ran instantly to his desk, took out the grant, and presented it to his miserable friend, who received it with exultation, and whose name was soon after, by Hume's interest, inserted instead of his own. After such a relation it is needless that I should say any more of his genuine philanthropy and generous beneficence; but the difficulty will now occur, how a man, endowed with such qualities,

could possibly consent to become the agent of so much mischief, as undoubtedly has been done to mankind by his writings; and this difficulty can only be solved by having recourse to that universal passion, which has, I fear, a much more general influence over all our actions than we are willing to confess. Pride, or vanity, joined to a sceptical turn of mind, and to an education which, though learned, rather sipped knowledge than drank it, was probably the ultimate cause of this singular phenomenon; and the desire of being placed at the head of a sect, whose tenets controverted and contradicted all received opinions, was too strong to be resisted by a man, whose genius enabled him to find plausible arguments, sufficient to persuade both himself and many others, that his own opinions were true. A philosophical knight-errant was the dragon he had vowed to vanquish, and he was careless, or thoughtless, of the consequences which ensue from the achievement of the adventure to which he had pledged himself—He once professed himself the admirer of a young, most beautiful, and accomplished lady, at Turin, who only laughed at his passion. One day he addressed her in the usual common-place strain, that he was *atimé anéanti*.—"Oh! pour anéanti," replied the lady, "*ce n'est en effet qu'une opération très naturelle de votre système.*"

"About this time, 1766, or somewhat before this, Lord Charlemont once more met his friend, David Hume. His Lordship mentions him in some detached papers, which I shall here collect, and give to the reader.—"Nothing," says Lord Charlemont, "ever shewed a mind more truly beneficent than Hume's whole conduct with regard to Rous-

seau. That story is too well-known to be repeated, and exhibits a striking picture of Hume's heart, whilst it displays the strange and unaccountable vanity and madness of the French, or rather Swiss, moralist. When first they arrived together from France, happening to meet with Hume in the Park, I wished him joy of his pleasing connexion, and particularly hinted, that I was convinced he must be perfectly happy in his new friend, as their sentiments were, I believed, nearly similar. 'Why no, man,' said he, 'in that you are mistaken; Rousseau is not what you think him; he has a hankering after the Bible, and, indeed, is little better than a Christian, in a way of his own.' Excess of vanity was the madness of Rousseau. When he first arrived in London, he and his Armenian dress were followed by crowds, and as long as this species of admiration lasted, he was contented and happy. But in London, such sights are only the wonder of the day, and in a very short time he was suffered to walk where he pleased, unattended, unobserved. From that instant, his discontent may be dated. But to dwell no longer on matters of public notoriety, I shall only mention one fact, which I can vouch for truth, and which would, of itself, be amply sufficient to convey an adequate idea of the amazing eccentricity of this singular man. When, after having quarrelled with Hume, and all his English friends, Rousseau was bent on making his escape, as he termed it, into France, he stopped at a village between London and Dover, and from thence wrote to General Conway, then Secretary of State, informing him, that, although he had got so far with safety, he was well apprized, that the remainder of his route was so beset by his inexorable

vulnerable enemies, that, unprotected, he could not escape. He therefore solemnly claimed the protection of the King, and desired that a party of cavalry might be immediately ordered to escort him to Dover. This letter General Conway shewed to me, together with his answer, in which he started him, that the postillions were altogether a very inefficient guard throughout every part of the King's dominions.—To return to Hume. In London, where he often did me the honour to communicate the manuscripts of his additional essays, before their publication, I have sometimes, in the course of our intimacy, asked him whether he thought that, if his opinions were universally to take place, mankind would not be rendered more unhappy than they now were; and whether he did not suppose that the curb of religion was necessary to human nature? The objections, answered he, are not without weight; but error never can produce good, and truth ought to take place of all considerations. He never failed, in the midst of any controversy, to give its due praise to every thing tolerable that was either said or written against him. One day that he visited me in London, he came into my room laughing, and apparently well pleased. What has put you into this good humour, Hume? said I. Why, man, replied he, I have just now had the best thing said to me I ever heard. I was contemplating in a company, where I spent the morning, that I was very ill-treated by the world, and that the censures cast upon me were hard and unreasonable. That I had written many volumes, throughout the whole of which there were but a few pages that contained any reprehensible matter, and yet, for those few pages, I was abused and

torn to pieces. You put me in mind," said an honest fellow in the company, whose name I did not know, of an acquaintance of mine, a notary public, who, having been condemned to be hanged for forgery, lamented the hardship of his case; that, after having written many thousand inoffensive sheets, he should be hanged for one line?

"But an unfortunate disposition to doubt of every thing, seemed interwoven with the nature of Hume; and never was there, I am convinced, a more thorough and sincere sceptic. He seemed not to be certain even of his own present existence, and could not therefore be expected to entertain any settled opinion respecting his future state. Once I asked him what he thought of the immortality of the soul?— "Why, truth, man," said he, "it is so pretty and so comfortable a theory, that I wish I could be convinced of its truth, but I cannot help doubting."

"Hume's fashion at Paris, when he was there as Secretary to Lord Hertford, was truly ridiculous; and nothing ever marked, in a more striking manner, the whimsical genius of the French. No man, from his manners, was surely less formed for their society, or less likely to meet with their approbation; but that flimsy philosophy, which pervades and deadens even their most licentious novels, was then the folly of the day. Freethinking and English frocks were the fashion, and the Anglomanie was the *ton du pais*. Lord Holland, though far better calculated than Hume to please in France, was also an instance of this singular predilection. Being about this time on a visit to Paris, the French concluded, that an Englishman of his reputation must be a philosopher, and must be admired. It

was customary with him to doze after dinner, and one day, at a great entertainment, he happened to fall asleep: 'La voilà!' says a Marquis, pulling his neighbour by the sleeve; 'Le voilà, qui pense!' But the madness for Hume was far more singular and extravagant. From what has been already said of him, it is apparent that his conversation to strangers, and particularly to Frenchmen, could be little delightful, and still more particularly, one would suppose, to French women. And yet no lady's toilette was complete without Hume's attendance. At the opera, his broad, unmeaning face was usually seen *entre deux tois miroirs*. The ladies in France give the ton, and the ton was deism; a species of philosophy ill suited to the softer sex, in whose delicate frame weakness is interesting, and timidity a charm. But the women in France were deists, as with us they were charioteers. The tenets of the new philosophy were *à portée de tout le monde*, and the perusal of a wanton novel, such, for example, as *Therese Philosophe*, was amply sufficient to render any fine gentleman, or any fine lady, an accomplished, nay, a learned deist. How my friend Hume was able to endure the encounter of these French female Titans I know not. In England, either his philosophic pride, or his conviction that infidelity was ill suited to women, made him perfectly averse from the initiation of ladies into the mysteries of his doctrine. I never saw him so much displeased, or so much disconcerted, as by the petulance of Mrs. Mallett, the conceited wife of Bolingbroke's editor. This lady, who was not acquainted with Hume, meeting him one night at an assembly, boldly accosted him in these words: 'Mr. Hume, give me leave to introduce

myself to you; we deists ought to know each other.'—Madam, replied he, 'I am no deist. I do not style myself so, neither do I desire to be known by that appellation.'

"Nothing ever gave Hume more real vexation, than the strictures made upon his history in the House of Lords by the great Lord Chatham. Soon after that speech I met Hume, and ironically wished him joy of the high honour that had been done him. 'Zounds, man,' said he, with more peevishness than I had ever seen him express, 'he's a Goth!—he's a Vandal!' Indeed, his history is as dangerous in politics, as his essays are in religion; and it is somewhat extraordinary, that the same man who labours to free the mind from what he supposes religious prejudices, should as zealously endeavour to shackle it with the servile ideas of despotism. But he loved the Stuart family, and his history is, of course, their apology. All his prepossessions, however, could never induce him absolutely to falsify history; and though he endeavours to soften the failings of his favourites, even in their actions, yet it is on the characters which he gives to them, that he principally depends for their vindication; and from hence frequently proceeds, in the course of his history, this singular incongruity, that it is morally impossible that a man, possessed of the character which the historian delineates, should, in certain circumstances, have acted the part which the same historian narrates and assigns to him. But now to return to his philosophical principles, which certainly constitute the discriminative feature of his character. The practice of combating received opinions, had one unhappy, though not unusual, effect on his mind. He grew fond of

of paradoxes, which his abilities enabled him successfully to support; and his understanding was so far warped and bent by this unfortunate predilection, that he had well nigh lost that best faculty of the mind, the almost intuitive perception of truth. His sceptical turn made him doubt, and consequently dispute, every thing; yet was he a fair and pleasant disputant. He heard with patience, and answered without acrimony. Neither was his conversation at any time offensive, even to his more scrupulous companions; his good sense, and good nature, prevented his saying any thing that was likely to shock; and it was not till he was provoked to argument, that, in mixed companies, he entered into his favorite topics. Where indeed, as was the case with me, his regard for any individual rendered him desirous of making a proselyte, his efforts were great, and anxiously incessant.

Respecting this new, or rather revived system of philosophy, *soi-disant* *utile*, it may perhaps be confessed, that it may possibly have done some good; but then it has certainly done much more mischief to mankind. On the one hand, it may perhaps be allowed, that to its prevalence we owe that general system of toleration which seems to prevail, and which is, I fear, the only speck of white that marks the

present age. Yet, even this solitary virtue, if infidelity be its basis, is founded on a false principle. Christian charity, which includes the idea of universal philanthropy, and which, when *really Christian*, is the true foundation on which this virtue should be erected, and not the opinion that all religions should be tolerated, because all are alike erroneous. But even allowing this boasted benefit its full weight, to the same cause we are, I doubt, on the other hand, indebted for that profligacy of manners, or, to call it by the most gentle name, that frivolity which every where prevails. To this cause we owe that total disregard, that fastidious dislike to all serious thought; for every man can be a deist without thinking; he is made so at his toilette, and, whilst his hair is dressing, reads himself into an adept; that shameful and degrading apathy to all that is great and noble; in a word, that perfect indifference to right or wrong, which enervates and characterises this unmeaning and frivolous age. Neither have we reason to hope a favourable change. The present manners are the fashion of the day, and will not last. But infidelity will never subside into true piety. It will produce its contrary. The present is an age of irreligion; the next will, probably, be an age of bigotry."

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#### ANECDOTES OF THE BARON MOTESQUIEU.

[By the same, from the same.]

IN travelling through France, I happened, luckily for me, to get acquainted with Mr. Elliott, a gentleman of Cornwall, whose excellent understanding, cultivated

and improved by the best education, and animated by a mind of the most pleasing cast, rendered him the most agreeable of companions. We travelled together for some

some time, and finding ourselves not very far from Bourdeaux, we determined not to miss the opportunity of going there, not so much prompted thereto by the beauty of the town, and the adjacent country, as by our ardent desire of seeing, and of knowing, the President Montesquieu. Arrived at Bourdeaux, our first inquiry was concerning the principal object of our journey; but how great was our disappointment, when we found that he had left the city; and was gone to reside at a country seat, four or five miles distant. To leave our longing unsatisfied was truly mortifying to us; and yet what could be done? At length, after a long deliberation, we determined to strike a bold stroke; and, getting the better of all timidity, perhaps propriety, we sat down and wrote a joint letter, in which we candidly told the president our reasons for visiting Bourdeaux, our sad disappointment, our eager wishes for the honour of his acquaintance, which, as English subjects, we most particularly desired; concluding by begging pardon for our presumption, and leave to wait on him at his villa. Neither did we languish long for an answer; it quickly arrived, in every respect as we would have wished, and consisted of a modest acknowledgment for the honour we did him, assertions of the high esteem in which he held our country, and the most hearty and pressing invitation to come to him as soon as our occasions would permit. The first appointment with a favorite mistress could not have rendered our night more restless; and the next morning we set out so early, that we arrived at his villa before he was risen. The servant shewed us into his library, where the first object of curiosity that presented itself was a table, at which he had apparently

been reading the night before, a book lying upon it open, turned down, and a lamp extinguished. Eager to know the nocturnal studies of this great philosopher, we immediately flew to the book; it was a volume of Ovid's works, containing his elegies, and open at one of the most gallant poems of that master of love. Before we could overcome our surprise, it was greatly increased by the entrance of the president, whose appearance and manner was totally opposite to the idea which we had formed to ourselves of him: instead of a grave, austere philosopher; whose presence might strike with awe such boys as we were, the person who now addressed us was a gay, polite, sprightly Frenchman; who, after a thousand genteel compliments, and a thousand thanks for the honour we had done him, desired to know whether we would not breakfast, and, upon our declining the offer, having already eaten at an inn not far from the house, 'Come then,' says he, 'let us walk; the day is fine, and I long to shew you my villa, as I have endeavoured to form it according to the English taste, and to cultivate and dress it in the English manner.' Following him into the farm, we soon arrived at the skirts of a beautiful wood; cut into walks, and paved round, the entrance to which was barricaded with a moveable bar, about three feet high, fastened with a padlock. 'Come,' said he, searching in his pocket, 'it is not worth our while to wait for the key; you, I am sure, can leap as well as I can, and this bar shall not stop me.' So saying, he ran at the bar; and fairly jumped over it, while we followed him with amusement, though not without delight, to see the philosopher likely to become our playfellow. This behaviour

viour had exactly the effect which he meant it should have. He had observed our awkward timidity at his first accosting us, and was determined to rid us of it: all that awe with which, notwithstanding his appearance, his character had inspired us, and that consequent bashfulness which it must have occasioned, was now taken off; his age and awful character disappeared; and our conversation was just as free and as easy as if we had been his equals in years, as in every other respectable qualification. Our discourse now turned on matters of taste and learning. He asked us the extent of our travels; and, as I had visited the Levant, he fixed himself particularly on me, and inquired into several circumstances relative to the countries where I had been, in many of which I had the good fortune to satisfy him. He lamented his own fate, which had prevented his seeing those curious regions, and descanted with great ability on the advantages and pleasures of travel. 'However,' said he, 'I too have been a traveller, and have seen the country in the world which is most worthy our curiosity—I mean England.' He then gave us an account of his abode there, the many civilities he had received, and the delight he felt in thinking of the time he had spent there. 'However,' continued he, 'though there is no country under Heaven which produces so many great and shining characters as England, it must be confessed, that it also produces many singular ones, which renders it the more worthy our curiosity, and, indeed, the more entertaining. You are, I suppose, too young to have known the Duke of Montagu: that was one of the most extraordinary characters I ever met with; endowed with the most

excellent sense, his singularity knew no bounds. Only think! at my first acquaintance with him, having invited me to his country seat, before I had leisure to get into any sort of intimacy, he practised on me that whimsical trick which, undoubtedly, you have either experienced, or heard of; under the idea of playing the play of an introduction of ambassadors, he soured me over head and ears into a tub of cold water. I thought it odd, to be sure; but a traveller, as you well know, must take the world as it goes, and, indeed, his great goodness to me, and his incomparable understanding, far overpaid me for all the inconveniences of my ducking. Liberty, however, is the glorious cause! that it is, which gives human nature fair play, and allows every singularity to show itself, and which, for one less agreeable oddity it may bring to light, gives to the world ten thousand great and useful examples.'

"With this, and a great deal more conversation, every word of which I would wish to remember, we finished our walk, and having viewed every part of the villa, which was, as he had told us, altogether imitated from the English style of gardening, we returned to the house, were shewn into the drawing-room, and were most politely received by Madame la Baronne and her daughter. Madame de Montesquieu was an heiress of the reformed religion, which she still continued to profess. She was an elderly woman, and apparently had never been handsome. Mademoiselle was a sprightly, affable, good-humoured girl, rather plain, but, at the same time, pleasing; these, with the president's secretary, whom we afterwards found to be an Irishman, formed our society. The secretary spoke nothing but French, and had it been possible



ble that Elliot and I, in our private conversation, could have uttered any thing to the disadvantage of our hosts, we might have been disagreeably trapped, by our ignorance of his country; but nothing of that kind could possibly happen; every thing we said was to the praise of the president, and the politeness shewn us by his family. Our dinner was plain and plentiful; and when, after having dined, we made an offer to depart, the president insisted upon our stay; nor did he suffer us to leave him for three days, during which time his conversation was as sprightly, as instructive, and as entertaining as possible. At length we took our leave, and returned to Bourdeaux, whither we were escorted by the secretary, who now, to our great surprise, spoke English, and declared himself my countryman.

“The Baron, though still styled president, had lately resigned that office on the following occasion:—The intendant of the province, a man whose ideas were far more magnificent than merciful, had taken it into his head that he would make Bourdeaux the finest city in France, and, for that purpose, had caused to be delineated on paper the plan of a new quarter, where the streets were laid out in the most sumptuous manner, of a great breadth, and in lines directly straight. This plan, with the approbation of the court, he had now began to execute, and that without the least consideration that the streets which he was laying out not only cut through gardens, vineyards, and the houses of citizens and gentlemen, which, if they happened to stand in the way, were instantly levelled with the ground; and that without any determined indemnification to the owner. The president saw this tyranny, detested and resisted it; and, by his influence and

authority, for a while suspended the execution. Both parties resorted to Versailles, where the affair was examined into, and where the good president made use of all his influence in behalf of his countrymen, he himself not being in the smallest degree interested. But the intendant prevailed; and orders were issued, that at all events the plan should be pursued. The president, justly discontented, obtained leave to part with his office, and Bourdeaux is now the most magnificent city in France, built on the ruin of hundreds. Consider this, ye degenerate Englishmen, who talk without abhorrence of arbitrary power!

“Having remained at Bourdeaux a competent time, Elliot and I parted, and I set out for Paris, where I was no sooner arrived, than Monsieur de Montesquieu, who had been there some days before me, most kindly came to see me: and, during the time of my abode in that metropolis, we saw each other frequently, and every interview increased my esteem and affection for him.

“I have frequently met him in company with ladies, and have been as often astonished at the politeness, the gallantry, and sprightliness of his behaviour. In a word, the most accomplished, the most refined *petit-maitre* of Paris, could not have been more amusing, from the liveliness of his chat, nor could have been more inexhaustible in that sort of discourse which is best suited to women, than this venerable philosopher of seventy years old. But at this we shall not be surprised, when we reflect, that the profound author of *L'Esprit des Loix* was also author of the *Persian Letters*, and of the truly gallant *Temple de Gnide*.

“He had, however, to a great degree, though not among women, and

one quality, which is not uncommon with abstracted men;—I mean absence of mind. I remember dining in company with him at our ambassador's, Lord Albemarle, where, during the time of dinner, being engaged in a warm dispute, he gave away to the servant, who stood behind him, seven clean plates, supposing that he had used them all. But this was only in the heat of controversy, and when he was agitated by that lively and impetuous earnestness, to which, though it never carried him beyond the bounds of good breeding, he was as liable as any man I ever knew. At all other times he was perfectly collected; nor did he ever seem to think of any thing out of the scope of the present conversation.

“In the course of our conversations, Ireland and its interests have often been the topic; and upon these occasions I have always found him an advocate for an union between that country and England. ‘Were I an Irishman,’ said he, ‘I should certainly wish for it; and, as a general lover of liberty, I sincerely desire it; and for this plain reason, that an inferior country, connected with one much her superior in force, can never be certain of the permanent enjoyment of constitutional freedom, unless she has, by her representatives, a proportional share in the legislature of the superior kingdom.’

“A few days before I left Paris to return home, this great man fell sick; and, though I did not imagine, from the nature of his complaint, that it was likely to be fatal, I quitted him, however, with the utmost regret, and with that sort of foreboding, which sometimes precedes misfortunes. Scarcely was I arrived in England, when I received a letter, from one whom I had de-

sired to send me the most particular accounts of him, communicating to me the melancholy news of his death; and informing me, what I never doubted, that he had died as he lived, like a real philosopher; and what is more, with true christian resignation! What his real sentiments, with regard to religion, were, I cannot exactly say. He certainly was not a papist; but I have no reason to believe that he was not a christian. In all our conversations, which were perfectly free, I never heard him utter the slightest hint, the least word, which savoured of profaneness; but, on the contrary, whenever it came in his way to mention christianity, he always spoke of its doctrine and of its precepts with the utmost respect and reverence: so that, did I not know that he had too much wisdom and goodness to wish to depreciate the ruling religion, from his general manner of expressing himself, I should make no scruple freely to declare him a perfect christian. At his death the priests, as usual, tormented him, and he bore their exhortations with the greatest patience, good humour, and decency; till at length, fatigued by their obstinate and tiresome pertinacity, he told them that he was much obliged for their comfort, but that, having now a very short time to live, he wished to have those few minutes to himself, as he had lived long enough to know how to die. A day or two before his death, an unlucky circumstance happened, by which the world has sustained an irreparable loss. He had written the history of Louis the Eleventh; including the transactions of Europe during the very important and interesting period of that prince's reign. The work was long and laborious; and some, who had seen parts

parts of it, have assured me that it was superior even to his other writings. Recollecting that he had two manuscripts of it, one of them perfect and the other extremely mutilated, and fearing that this imperfect copy might fall into the hands of some ignorant and avaricious bookseller, he gave his valet de chambre the key of his escritoir, and desired him to burn that manuscript, which he described to him. The unlucky valet burned the fair copy, and left that from which it was impossible to print.

"There is nothing more uncommon than to see, in the same man, the most ardent glow of genius, the utmost liveliness of fancy, united with the highest degree of assiduity and of laboriousness. The powers of the mind seem in this to resemble those of the body. The nice and ingenious hand of the oculist was never made to heave the sledge or to till the ground. In Montesquieu, however, both these talents were eminently conspicuous. No man

ever possessed a more lively, a more fanciful genius. No man was ever more laborious. His *Esprit des Loix* is, perhaps, the result of more reading than any treatise ever yet composed. Mr. de Secondat, son to the president, has now in his possession forty folio volumes in his father's hand writing, which are nothing more than the common-place books, from whence this admirable work was extracted. Montesquieu, indeed, seems to have possessed the difficult art of contracting matter into a small compass, without rendering it obscure, more perfectly than any man who ever wrote. His *Grandeur et Decadence des Romains* is a rare instance of this talent; a book in which there is more matter than was ever before crammed together in so small a space. One circumstance with regard to this last mentioned treatise has often struck me, as a sort of criterion by which to judge of the materialness of a book. The index contains nearly as many pages as the work itself."

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CORRESPONDENCE OF T. BEAUCLERK, ESQ. WITH LORD CHARLEMONT.

[From the same Work.]

AS the Irish parliament was not convened by Lord Harcourt till October, 1773, Lord Charlemont spent the beginning, and spring of this year in London. Much of his time was devoted to his literary friends: Sir Joshua Reynolds, Dr. Johnson, Goldsmith, and Mr. Beauclerk. With the gentleman last mentioned he had formed a particular intimacy; and on his return to Ireland Mr. Beauclerk corresponded with him very frequently. I shall take leave to give some part of his

letters to Lord Charlemont; they are not many, but they are sufficient to shew the warmth of Beauclerk's attachment to him, and give a favourable portraiture of that accomplished man's disposition and agreeable talents. If they did not, they should find no place here; for on what principle a writer can think himself justified in ransacking the closets of the dead, and dragging to light every idle, though venial fault, without the slightest respect to the feelings of friends, of relations,

or female delicacy, I have yet to learn.

MY DEAR LORD,

Muswell Hill,  
July 5, 1778.

It is certainly ordained by fate that I should always appear in a state of humiliation before you; nothing else could have prevented me from writing to you, and endeavouring thereby to keep up an intercourse with one for whom I shall always retain the greatest and tenderest regard; lessening in some measure the greatest of all human evils, the separation from those we love; but that insuperable idleness, which accompanies me through life, which not only prevents me from doing what I ought, but likewise from enjoying my greatest pleasure, where any thing is to be done, has hitherto prevented me from writing; but if I obtain your pardon this time, I will, for the future, mend my manners, and try, by one act at least, to be worthy of that friendship which you have honoured me with. I need not assure you, that I most ardently wish to visit you this summer in Ireland; nothing but Lady Di.'s illness shall prevent me. I have been but once at the club since you left England; we were entertained, as usual, by Dr. Goldsmith's absurdity. Mr. V. can give you an account of it. Sir Joshua Reynolds intends painting your picture over again, so you may set your heart at rest for some time; it is true, it will last so much the longer, but then you may wait these ten years for it. Elmsley gave me a commission from you about Mr. Walpole's frames for prints, which is perfectly intelligible: I wish you would explain it, and it shall be punctually executed. The Duke of Northumberland has promised me a pair of his new pheasants for you, but you must

wait till all the crowned heads in Europe have been served first.—I have been at the review at Portsmouth. If you had seen it, you would have owned, that it is a very pleasant thing to be a King. It is true, — made a job of the clause to —, who furnished the first tables with vinegar, under that denomination. Charles Fox said that Lord S— which should have been impeached; what an abominable world do we live in, that there should not be above half a dozen honest men in the world, and that one of those should live in Ireland. You will, perhaps, be shocked at the small portion of honesty that I elicit to your country; but a sixth part is as much as comes to its share; and, for any thing I know to the contrary, the other five may be in Ireland too, for I am sure I do not know where else to find them. Your philanthropy engages you to think well of the greatest part of mankind; but every year, every hour, adds to my misanthropy, and I have had a pretty considerable share of it, for some years past. Leave your parliament and your nation to shift for itself, and consecrate that time to your friends, which you spend in endeavouring to promote the interest of half a million of scoundrels. Since, as Pope says,

"Life can little else supply,  
Than just to look about us, and to die."

Do not let us lose that moment that we have, but let us enjoy all that can be enjoyed in this world; the pleasures of a true uninterrupted friendship.—Let us leave this island of fog and iniquity, and sail to purer regions, not yet quite corrupted by European manners. It is true, you must leave behind you Maria, and your medals, but you will likewise leave behind you the S—s, and  
R—by's

It—Oys of this place. I know you will say you can do all this without flying to the other pole, by shunning the society of such wretches; but what avails it to me, that you are the very man I could wish, when I am separated from you by sea and land? If you will quit Marino, and sail with me, I will fly from Almack's, though, whatever evil I may have suffered from my connection with that place, I shall always with gratitude remember, that there I first began my acquaintance with you; and in the very sincerity of truth I can say, that I would rather have such a friend as you, even at three hundred miles distance, than both the Houses of Parliament for my friends in London.—I find when I have once begun to converse with you, I cannot leave off; you have spoiled me, my Lord, and must take the consequence. Why should fortune have placed our paltry concerns in two different islands? If we could keep them; they are not worth one hour's conversation at Elmsly's. If life is good for any thing, it is only made so by the society of those whom we love. At all events I will try to come to Ireland, and shall take no excuse from you, for not coming early in the winter to London. The club exists but by your presence; the flourishing of learned men is the glory of the state. Mr. Vesey will tell you, that our club consists of the greatest men in the world, consequently you see there is a good and patriotic reason for you to return to England in the winter. Pray make my best respects to Lady Charlemont, and Miss Hickman, and tell them I wish they were at this moment sitting at the door of our ale-house in Gerard-street.

Believe me to be, my dear Lord,

With the utmost sincerity,

Affectionately yours,

T. BEAUCHAMP.

Adelphi,  
Nov. 20, 1777.

MY DEAR LORD,  
I delayed writing to you, as I flattered myself that I should have been able to have paid you a visit at Dublin before this time; but I have been prevented, not by my own negligence and indolence, but by various matters.—I am rejoiced to find by your letter that Lady C. is as you wish. I have yet remaining so much benevolence towards mankind, as to wish, that there may be a son of your's, educated by you, as a specimen of what mankind ought to be.—Goldsmith the other day put a paragraph into the newspapers, in praise of Lord Mayor Townshend. The same night we happened to sit next to Lord Shelburne, at Drury Lane; I mentioned the circumstance of the paragraph to him; he said to Goldsmith that he hoped that he had mentioned nothing about Malagrida in it. "Do you know," answered Goldsmith, "that I never could conceive the reason why they call you Malagrida, for Malagrida was a very good sort of man." You see plainly, what he meant to say, but that happy turn of expression is peculiar to himself. Mr. Walpole says, that this story is a picture of Goldsmith's whole life. Johnson has been confined for some weeks in the Isle of Sky; we hear that he was obliged to swim over to the main land, taking hold of a cow's tail. Be that as it may, Lady D. has promised to make a drawing of it. Our poor club is in a miserable decay; unless you come, and relieve it, it will certainly expire. Would you imagine that Sir Joshua Reynolds is extremely anxious to be a member of Almack's? You see what noble ambition will make a man attempt. That den is not yet opened, consequently I have not been there; so for the present I am clear upon that score. I suppose your confounded Irish politics take up  
your

your whole attention at present. If they could, but have obtained the absence tax, the Irish parliament would have been perfect. They would have voted themselves out of parliament, and lessened their estates one half of the value. This is patriotism with a vengeance.—I have heard nothing of your peacock's eggs. The Duke of N——d tells me, that if they are put into tallow, or butter, they will never hatch. I mention this to you as worthy of your notice. Mr. Walpole promised me to send you a drawing of his frames, but he has been so much engaged with Lord Orford's affairs, that he has probably forgot it. There is nothing new at present in the literary world. Mr. Jones, of our club, is going to publish an account, in Latin, of the eastern poetry, with extracts translated verbatim in verse. I will order Elmsly to send it to you when it comes out; I fancy it will be a very pretty book. Goldsmith has written a prologue for Mrs. Yates, which she spoke this evening before the opera. It is very good. You will see it soon in all the newspapers, otherwise I would send it to you. I hope to hear in your next letter that you have fixed your time for returning to England. We cannot do without you. If you do not come here, I will bring all the club over to Ireland to live with you, and that will drive you here in your own defence. Johnson shall spoil your books, Goldsmith pull your flowers, and Boswell talk to you; stay then if you can. Adieu, my dear Lord. Play make my best compliments to Lady Charlemont.

Believe me to be, very sincerely,

And affectionately yours,

T. BEAUCLERK.

MY DEAR LORD,

Enclosed I send you the drawing of Mr. Walpole's frames; which I

did not receive till last night. I hope, you received a letter from me some time ago; I mention this, that I may not appear worse than I am, and likewise to hint to you, that when you receive this, you will be two letters in my debt. I hope your parliament has finished all its absurdities, and that you will be at leisure to come over here to attend your club, where you will do much more good than all the patriots in the world ever did to any body, viz. you will make very many of your friends extremely happy; and you know Goldsmith has informed us that no form of government ever contributed either to the happiness or misery of any one.—I saw a letter from Foote, with an account of an Irish tragedy; the subject is Manlius, and the last speech which he makes when he is pushed off from the Tarpeian Rock, is, "Sweet Jesus, where am I going?" Pray send me word if this is true. We have a new comedy here, which is good for nothing; bad as it is, however, it succeeds very well, and has almost killed Goldsmith with envy. I have no news, either literary or political, to send you. Every body, except myself, and about a million of vulgar, are in the country. I am closely confined, as Lady Di. expects to be so every hour.

I am, my dear Lord,

Very sincerely and

Affectionately yours,

Adelphi,

Dec. 24, 1773.

T. BEAUCLERK.

MY DEAR LORD,

I have this moment received your letter, and I need not tell you how happy it has made me, by informing me that Lady Charlemont is well, and yourself so much better. I can now give you a better reason for not writing sooner to you, than for any other thing that I ever did in my life.

life. When Sir Charles Bingham came from Ireland, I, as you may easily imagine, immediately inquired after you; he told me that you were very well, but in great affliction, having just lost your child. You cannot conceive how I was shocked with this news; not only by considering what you suffered on this occasion, but recollected that a foolish letter of mine, laughing at your Irish politics, would arrive just at that point of time. A bad joke at any time is a bad thing; but when any attempt at pleasantry happens, at a moment that a person is in great affliction, it certainly is the most odious thing in the world. I could not write to you to comfort you; you will not wonder, therefore, that I did not write at all. I must now entreat you to lay aside your politics for some time, and to consider that the taking care of your health is one of the most public-spirited things you can do; for, notwithstanding your vapour about Ireland, I do not believe that you can very well spare one honest man. Our politicians, on this side of the water, are all asleep; but I hear they are to be awakened next Monday, by a printer, who is ordered to attend the bar of the House, for having abused Sir Fletcher Norton. They have already passed a vote, that Sir Fletcher's character is immaculate, and will most certainly punish the printer very severely; if a trifling circumstance does not prevent them, viz. that the printer should, as he most probably will, refuse to attend. Our club has dwindled away to nothing. Nobody attends but Mr. Chambers, and he is going to the East Indies. Sir Joshua and Goldsmith have got into such a round of pleasures, that they have no time. In my next I will send you a long history of all our friends, and parti-

cularly an account how twelve thousand pounds may be paid without advancing one single shilling. This is certainly very convenient; and if you can get rid of all your feeling and morality before my next letter arrives, you may put it in practice, as probably it has not yet been introduced into Ireland.

Relieve me to be, my dear Lord,  
Adolphus, Esq. T. Beaumont.  
Feb. 12, 1774.

That it was my full intention to visit you in Ireland, and that it still remains so, is as true, as that I love and esteem you more than any man upon this earth; but various accidents have hitherto hindered me, the last of which has been a violent illness, which obliges me to constant attendance on Doctor Turton; but, in spite of him, or nature itself, I will very soon pay you a visit. Business, it is true, I have none to keep me here; but you forget that I have business in Lancashire; and that I must go there, when I come to you. Now you will please to recollect, that there is nothing in this world I so entirely hate as business of any kind, and that I pay you the greatest compliment I can do, when I risque the meeting with my own confounded affairs; in order to have the pleasure of seeing you; but this I am resolved to do. The Duke is quite a new acquaintance; he says he is a scholar, and I believed him to be so. He seemed a good-natured man, and a man of parts, and one proof I am sure he gave of his understanding, by expressing a strong desire to be acquainted with you. I had recollection enough, however, not to give him a letter to you, as I suspect that a certain thing, called politics, might be the cause of a difference between you, particularly as

he told me that he was an intimate friend of Bigby's. And if the old proverb is true, *Noscitur à Socio*, I guessed that he was not a man after your own heart. Why should you be vexed to find that mankind are fools and knaves? I have known it so long, that every fresh instance of it amuses me, provided it does not immediately affect my friends or myself. Politicians do not seem to me to be much greater rogues than other people; and as their actions affect, in general, private persons less than other kinds of villany do, I cannot find that I am so angry with them. It is true that the leading men, in both countries, at present, are, I believe, the most corrupt, abandoned people in the nation; but now that I am upon this worthy subject of human nature, I will inform you of a few particulars relating to the discovery of Otaheite, which Dr. Hawkesworth said placed the King above all the conquerors in the world; and if the glory is to be estimated by the mischief, I do not know whether he is not right. When Wallis first anchored off the island two natives came along side of the ship, without fear or distrust, to barter their goods with our people. A man, called the boat-keeper, who was in a boat that was tied to the ship, attempted to get the things from them without payment. The savages resisted, and he struck one of them with the boat-hook, upon which they immediately paddled away. In the morning great numbers came in canoes of all sizes about the ship. They behaved, however, in the most peaceable manner, still offering to exchange their commodities for any thing that they could obtain from us. The same trick was played by attempting to take away their things by force. This enraged them; and they had

come prepared to defend themselves with such weapons as they had; they immediately began to sling stones, one of which went into the cabin window. Wallis, on this, ordered that the guns loaded with grape shot, should be fired; this, you may imagine, immediately dispersed them. Some were drowned, many killed, and some few got on shore, where numbers of the natives were assembled. Wallis then ordered the great guns to be played, according to his phrase, upon them. This drove them off; when he still ordered the same pastime to be continued, in order to convince them, as he says, that our arms could reach them at such a distance. If you add to this, that the inhabitants of all these islands are eat up with vile disorders, you will find that men may be much worse employed, than by doing the dirtiest job that ever was undertaken by the lowest of our clerk-ministers. These particulars I had from a man who went the last voyage, and had them from the gunner of Wallis's ship. We have one of the natives here who was wounded in that infernal massacre.—There is another curiosity here; Mr. Bruce. His drawings are the most beautiful things you ever saw, and his adventures more wonderful than those of Sinbad the sailor, and perhaps as true. I am much more afflicted with the account you send me of your health, than I am at the corruption of your ministers; I always hated politics, and I now hate them ten times worse, as I have reason to think that they contribute towards your ill health. You do me great justice in thinking that whatever concerns you must interest me, but as I wish you most sincerely to be perfectly happy, I cannot bear to think that the villainous proceedings of others should make you miserable;



able; for, in that case, undoubtedly you will never be happy.—Charles Fox is a member at the Turk's Head; but not till he was a patriot, and you know if one repents, &c.—There is nothing new, but Goldsmith's Retaliation, which you certainly have seen. Pray tell Lady

Charlemont from me, that I desire she may keep you from politics, as they do children from sweetmeats: that make them sick.

Believe me to be, &c.

T. BEAUCHAMP.

Muswell Hill, Summer Quarters,  
July 18, 1774.

# CHARACTER OF LORD CHARLEMONT.

[From the same.]

**B**UT Lord Charlemont's valuable life now drew rapidly to a close. He had attended constantly in the House of Lords, during the discussion of the Union, and the temporary defeat of that measure had given him some transient spirits. But his health declined every hour. His appetite had almost ceased, his limbs swelled, and it was evident to his family, and his friends, that he could not long survive. He was visited in this his last illness, by his numerous acquaintance, till his strength more and more exhausted, rendered him incapable of seeing but very few. One of the persons whom, I believe, he last saw, was Baron Metze; a gentleman whom, through life, he highly valued, and who was most cordially attached to him. At last, for some days previous to his dissolution, he sunk into a species of stupor, *Consanguineus lethi sopor*, to make use of the words of one of the respectable physicians who attended him. He at length expired at Charlemont House, Dublin, on the 4th of August, 1799, and in the seventieth year of his age. It was at first intended that his funeral should be public; but, after some consultation, his remains were conveyed to Armagh, and interred

in the family vault in that ancient cathedral. Though it was agreed on that the funeral should be strictly private, it was most numerously attended. The burial service was read by the Lord Primate, Archbishop of Armagh.

Among his papers is the following:

## MY OWN EPITAPH.

Here lies the body of  
JAMES, EARL OF CHARLEMONT,  
A sincere, zealous, and active friend  
To his Country.  
Let his posterity imitate him in that alone,  
And forget  
His manifold errors.

“They have I endeavoured to present to the reader, the public, and much of the private history of Lord Charlemont. To write the life of such a man may be, perhaps, impartially considered, as a matter of some difficulty. Though engaged much, and acting the most honourable part in political life, he could not be strictly called a statesman; though a member of an ancient deliberative assembly, he was not an orator; though possessed of the purest taste, and distinguished by many literary performances, which do honour to his memory, he cannot, without a violation of historical truth,

truth, be entitled to the name of an eminent author; and though the distinguished leader of many gallant bands, he will find no place among the conquerors or desolators of mankind: *Nil horum*. But he was better than all this. He was, in every sense of the word, an excellent man. Of morals unstained; of mind, of manners, the most elegant. He was not only such a fine gentleman as Addison has sketched with a happy pencil, but passed far beyond the limits of that character. He was, with some allowance for those slight errors which adhere to the best dispositions, a patriot of the justest views, who kept his loyalty and his zeal in the most perfect unison. His sole object seemed to have been, the good and melioration of his country. To a certain degree he obtained that object. He obtained a triumph over the ancient prejudices, and ancient policy which held the legislature of this country in thralldom. He indeed lived long enough to see that triumph idly, and ungratefully depreciated. But his laurels are not the less glorious. They were certainly all pacific; and if many a venal statesman, or those who were interested in confusion, secretly lamented that they were so, I am well aware that many a reader also, will consider the pages which record such laurels as cold, vapid, and uninteresting.

*Sed magis pugnas, et exactos tyrannos,  
Densum humeris, bibit aure vulgus.*

“But if ever the rage for war can be satiated, the period on which we have fallen would, I think, abundantly satisfy the most wretched avidity in that respect; and the change of dethroned or exiled monarchs has been so frequent, that these humble memoirs may have a chance of being read, even from the  
1811.

difference of scene which they present to those who cast their wearied eyes over the desolated continent of Europe. The scene, however, so presented, is not only not exempt from the general agency of human misery, for what place is so, but it partakes at one period of those horrors which have given such a pre-eminence in calamity to the present epocha in society. That it did not abound in more, and that at an early period in Lord Charlemont's political life, it was not hurried into a contest of a different nature from that of 1798, may surely, without any strained eulogy, be attributed to him; and, it cannot be too often repeated, the moderation and good sense of those who acted with him. For such wise and healing conduct, slightly discoloured as it might be with occasional imperfections, his memory is entitled to just and lasting praise.—With regard to the Catholic question, on which, and as I think, most unhappily Parliament is yet so divided, Lord Charlemont, in 1793, voted against the concession of the elective franchise to the Roman Catholics, and it is evident, from his letters in 1795, that he had not then relinquished his former sentiments. Some time after (I know not the precise period) they underwent some change, but, in truth, he never altogether abandoned them. But that he truly loved all his countrymen, that he always felt for the degraded situation of the Catholics, and early in life wished to change it, cannot be controverted. He rose above ancient prejudice, and the history of former days, when he cultivated such feelings for the murder of his ancestor Lord Charlemont, in 1641, was often present to his mind, but it neither obscured his intellect nor extinguished his benevolence. To punish the living for the misdeeds

deeds of those who had been a century and half in their graves, and such misdeeds basely amplified, was, he thought, a policy peculiarly humiliating to the understandings of those who practised it. Such vulgarity of sentiment he could not indulge in. But the liberty and prosperity of his country were his objects; and as he saw that they could not be obtained but partially, without a general union of Irishmen, his ruling passion, even in death, not withered, but regulated by long experience and much reflexion, led him to some dereliction of early opinions, and the experiment of a novel policy.

Lord Charlemont co-operated often, indeed generally, with those who acted as a party, and professed that they did so; a party founded on common principles, and those principles congenial to the common interest. A party pursuing such a system is necessary in our form of government, and is to be applauded. But let us not panegyrize or expect too much. The more ignoble motives of human action often intermingle themselves with the pursuits of every party, and how often is a debate brought forward, or a question opposed, for the sole purpose of gratifying the spleen or humour of the day? *Plus stomacho quam consilio dedit*, may be regarded as the device of too many oppositions, and it is not less ungenerous than unwise, for it not only injures them in the eyes of the public, but eventually proves the source of embarrassing and most awkward personal molestation when they come into office, as it furnishes their adversaries with such copious and inconvenient recollections. In truth, to hear some leaders of opposition talk, one would imagine, that they never meant to come into power; and when they are

in power so dissimilar is their language, that they never were once out of it. To all such leaders Lord Charlemont never belonged. Whatever his accidental, or necessary co-operation, his party was only that of his country, and if, in his Parliamentary conduct, there was any particular defect, it arose merely from that jealousy, which, certainly, not only the constitution abstractedly, but the situation of his country too often demanded; a jealousy, however, which in some few instances, might be said to have extended too far, and without that necessary allowance for human dealings, which our lamentable nature so frequently requires. Nothing could be more just or more worthy the attention of Ireland, than the observation of Mr. Fox, in his letter to Lord Charlemont.

"That country can never prosper, where what should be the ambition of men of honour, is considered as a disgrace."

"It was sadly exemplified in Ireland. Had those who enjoyed and deserved public confidence taken office in defiance of popular prejudice, their disinterestedness might have gradually worn out that prejudice, and by adding public opinion to the weight of their own character, outbalanced mere ministerial authority on many an important topic. That he did not speak in parliament, or in public, Lord Charlemont always lamented. It is surely not necessary, though some writers have thought it so, to make an apology for that which can require none, and introduce a crowd of splendid names, Addison, Prior, Soame Jenyns, and others, to keep, according to a trite phrase, any senator in countenance, who never delivered his sentiments in parliament. The talent of public speaking is a peculiar gift, and whatever Lord Chesterfield may say on the subject,

subject, though practice will certainly improve such a faculty, nature must bestow it, as much as any other endowments of the mind. In private conversation Lord Charlemont was above most men. No one could speak with more ease, purity, and perspicuity. But they who imagine that those persons who so excel, would equally excel in public, adopt a very erroneous opinion. Colloquial powers are, in truth, so totally distinct, that he who is highly gifted with such, and has long exercised them apart from politics, will find it difficult, perhaps impossible, at a certain period of life, to catch the tone and style of public speaking. Even at the academy, where he might have been said to be at home, Lord Charlemont could not deliver any thing that had the semblance of a speech, or an harangue, without being totally disconcerted. But he was then far from young. Had he in earlier life persevered in his efforts as a public speaker, I make no doubt that he would have been an excellent one. That he was alive to every nobler feeling in public life has been amply shewn. His sensibility, and delicacy of taste, led him to the study of the fine arts and polite literature in all its branches. Hence his communication with every erudite, or lettered man, at home or abroad. The Marquis Maffei in Italy, Prince Czartoryski in Poland, St. Palaye; Nivernois, Montesquieu, and the Comte de Caylus in France. He had a great respect for some of the Scotch literati; but I am not enabled to particularize them. The men of science and genius in England, to whom he was known, have been already mentioned. Of his countrymen who resided altogether in Ireland, Dr. Leland, that excellent scholar, mentions his Lordship as his first and early patron, and their

intercourse was liberal and frequent; many others might be adduced, or have been so, in the course of this work. I believe that few instances occur of any one so engaged in public life, as for more than forty years he was, who paid such unremitting attention to letters.

In painting, sculpture, and above all in architecture, his taste and knowledge were discriminating and profound. Yet his modesty and uniform desire to assist ingenious merit were no ways inferior. The late Dr. Quin, who was himself an excellent judge of the fine arts, used to say, that he had just reason to believe that Lord Charlemont himself planned the temple at Marino, and resigned the credit of it to Sir William Chambers. There was scarcely a contemporary artist of any merit whom he did not know; and many of them, in the earlier part of their lives, he patronized. Athenian Stuart, as he was called, he lived in entire intimacy with, as well as with Hogarth. Various are the letters from persons abroad, the Abbe Grant, so well known formerly to the English at Rome, and others, recommending young artists to his attention. He was, in truth, an unostentatious *Mecenas*, and his fortune, it cannot be denied, was considerably impaired by his attachment to, and encouragement of, the fine arts. Men of scientific pursuits were also cherished by him; Sir Joseph Banks particularly, who was highly valued by, and very dear to him.

"It may be proper to mention, that Lord Charlemont speaks in the warmest terms of Mr. Boyd's translation of Dante; as 'one of the best poetical translations in our language, and which is only prevented from being a *real* translation, by the constant uniformity of its merit.' It first induced him to give a version

of Dante, of which, as well as of all his translations, he speaks with the most engaging modesty and diffidence.—Of Mr. Roscoe, whom he highly recommends, he adds, ‘his translations make me blush for mine. Yet I must say, that, excellent as they are, they share in the glorious fault of being *too poetical*; and the latitude he has allowed himself, rendered this part of his labour, to me at least, not entirely satisfactory, by lessening that resemblance to his originals, which I must persevere in thinking the first object of translation.’

“As to his domestic character, without the predominating excellence, of which, all the ornaments which literature or manners can bestow are of diminished lustre, he was an indulgent father, a tender husband, a generous and kind master, an ardent sincere friend. To intrude on the private concerns of any family would be indelicate; but, were it so permitted, his disinterestedness as a relation might be shewn in the most favourable point of view. Sometimes, not frequently, he was irritable, but easily appeased. That irritability shewed itself more in the House of Commons, than any other place whatever. Among the country gentlemen he had numerous friends, and very general influence. To the freedom of public opinion he had every respect; but, if some of those gentlemen, as was now and then the case, took a part indebate, or voted in a manner which he had reason to imagine was directed by oblique motives, they were certain, if they met with him in the lobby, of encountering a tolerably sharp reprimand. The importance of the House of Commons was, he used to say, in a great measure, sustained by the country members; and when such men relin-

quished their independence, they relinquished every thing. But his anger was not often displayed; and so transient, that it could not be said to derogate from that suavity of manners which so eminently characterized him. From some prejudices, or dislikes, he was not free. Whence it arose, I know not, but he had, through life, almost a repugnance to the French. Of his friend, the Duc de Nivernois, he would, after speaking highly of him, generally add, ‘But he is not a Frenchman, he is an Italian.’ This, however, was the overflowing of mere conversation, and far remote from any illiberality, which could warp his judgment in essential matters, either as to literature or morals. He highly esteemed several of the French nobility; and never mentioned the old, generous *Maréchal de Birón* without a degree of enthusiasm. In the lighter species of poetry, and memoir writing, he considered the French as excelling all others. But their graver poets were not equally the objects of his admiration. Altogether, their literary character, and the romantic courtesy, and high honour, which in the superior classes were so often blended with that character, peculiarly engaged, and even fascinated his attention. But the general mass of Frenchmen he was not attached to.—His life, when in Dublin, and not engaged by the volunteers, was extremely uniform. He was on horseback every morning; and afterwards employed in various business till about one o’clock; at that time, or soon after, he went to his library, and remained there till almost dinner time. His friends had then constant access to him; and, considering the frequent interruption of visitors, it is a matter of some surprise that he was enabled

to write so much as he did. But it is a proof that not one moment of his time was unemployed. When parliament was sitting, he regularly attended his duty there; and as the Lords, if not detained by particularly important business, rose rather early, he was to be met every day in the House of Commons, where, from long usage, he was almost regarded as a member. Those who have sat next to him, during a debate, cannot forget the vivacity and justness of his remarks, on the different speakers. As president of the academy, he equally attended their meetings; and when his health was interrupted, the academy, from their respect to him, adjourned their sittings to Charlemont House. At home, and in the bosom of his family he enjoyed domestic society, with tranquil, unruffled satisfaction and pleasure. From continued study during part of his life, his eyes had suffered irreparable injury, and, on that account, some one of his family constantly read to him every evening which was not given to mixed company.

“As to his person, Lord Charlemont was of the middle size, or rather above it; but he stooped considerably, especially towards the latter part of his life; the effect, I believe, of ill health. When he appeared with his blue ribband, and in full dress at the levee, his air and deportment were exactly those of a foreign ambassador of the highest rank. His eyebrows were large and black. His features, when a young man, to judge of him from one or two portraits, were of a softened and delicate cast; but pain and indisposition soon perform the work of age, and even before he had reached middle life, had materially changed them. They became ex-

panded, strong, and more expressive than handsome. When he spoke, or addressed any one, the amenity of his mind was diffused over his countenance, and rendered it peculiarly engaging.

“The completion of the union Lord Charlemont did not live to see; and, had he lived, his sentiments, it is more than probable, would, on that head, have remained unchanged. A love of England, as well as his own country, influenced him in that respect, for few were more attached to our sister kingdom than he was. Whether, as to the union, he was right or wrong, time alone, not the present hour, must determine. Many a novel scene, and many a change, must take place, before the durability of this new legislative fabric can be said to be fairly tried. Would that the mode, by which that fabric was raised, could be for ever effaced from the memory! But as that cannot be, let us endeavour to hope the best. Let us, in many instances, aspire to a higher policy than has hitherto fallen to the lot, or the wisdom of both countries to pursue; that policy, which alone merits such an epithet, the melioration of the condition of our peasantry, the eternal exile of all proscribing systems from this country; the union, not of legislature merely, which would be found only in the statute book, but of hearts, of men, of Britons, of Irishmen, under whatever denomination, or civil, or religious, they may now be distinguished. So acting, the spirit of that good man, whose memory I have endeavoured, though with no cupping hand, to embalm, may be said to walk abroad, and live among us still; so acting, we shall prosper; so shall ‘pale invasion come with half a heart,’ and the

the well-ordered motto of the knight-hood of St. Patrick extend beyond the shield of that chivalry, and for

ever encircle both countries—*Quis separat?*”

## ACCOUNT OF THE RIGHT HON. C. J. FOX IN HIS RETIREMENT.

[FROM MR. TROTTER'S MEMOIRS OF HIS LATTER YEARS.]

“WHEN I first had the happiness of knowing Mr. Fox, he had retired, in a great measure, from public life; and was inclining towards the evening of his days. A serene and cloudless magnanimity, respecting the pursuit of power, raised him to an enviable felicity. His habits were very domestic, and his taste for literature peculiarly strong, as well as peculiarly elegant. His love for a country life, and all its simple and never-fatiguing charms, was great. His temper disposed him to enjoy, and never to repine. Had his great powers been employed for the benefit of mankind, in literary composition, and researches after knowledge (instead of being exhausted in useless debates, when the issue of the contest was always anticipated, and when prejudice and interest gave to a declaiming minister a superiority, which reason, poured forth with all the energy and variety of a Demosthenes, could never obtain), the world, and Europe in particular, would have reaped advantages, which his country blindly rejected; and that great mind, which made little impression upon a disciplined oligarchical senate, would more efficaciously have operated upon the philosophers, the statesmen, and the patriots of Europe.

“At that time of life when other men become more devoted to the

pursuits of ambition, or to the man and universal passion, avarice; and when their characters accordingly become rigid, and unproductive of new sentiments, Mr. Fox had all the sensibility and freshness of youth, with the energetic glow of manhood in its prime. Knowledge of the world had not at all hardened or disgusted him. He knew men, and he pitied rather than condemned them. It was singular to behold such a character in England, whose national propensity favours philosophic reasoning rather than the sensibility of genius. When I first beheld St. Anne's Hill, the impression was the most agreeable I had ever received. Every thing recalled to my mind the stories of Greece and Rome. I saw a man of a noble family, eminent for his genius and talents—an orator of unrivalled powers—the friend of liberty—the encourager of the fine arts—the classical scholar—I saw him retired to the lovely rural spot he had chosen, and said within me, “This is a character of antiquity; here is genuine greatness.” I entered his modest mansion, and found the picture of a youthful mind realized.

“St. Anne's Hill is delightfully situated; it commands a rich and extensive prospect; the house is embowered in trees, resting on the side of a hill: its ground declining gracefully to a road, which bounds them

at

at bottom. — Some fine trees are grouped round the house, and three remarkably beautiful ones stand on the lawn; while a profusion of shrubs are distributed throughout with taste and judgment. Here Mr. Fox was the tranquil and happy possessor of about thirty acres of land, and the inmate of a small but pleasant mansion. The simplicity and benignity of his manners speaking the integrity and grandeur of his character, soon dispelled those feelings of awe which one naturally experiences on approaching what is very exalted.

“ I speak of the year 1798, when coercion had become the systematic means of compressing the public mind, but which, by many, was believed to be an artful mode of strengthening ministerial power by that goading vigor, which drives men to warmth and violence, in expressing their feelings in favour of the law and constitution. The vindication of that system stands to this day wholly upon assertion. The unhappy country to which I have the honor and misfortune to belong, was then suffering under this reign of terror. An enthusiastic party aimed at a visionary republic. The example of republican France had heated their imaginations, and led their understandings astray. A wise statesman, by proper concession to all, and a just restoration of rights to Catholics, might have disarmed the nascent conspiracy, and arrayed Ireland, far more powerfully than in 1782, in favour of Great Britain; but the same narrowness of mind, and poverty of genius, which co-existed at home, under the joint ministry of Lord Grenville and Mr. Pitt, tyrannized in Ireland, under the direction of unprincipled men, in whose eyes a nation's happiness was trifling, compared with the gratification of their inordinate ambi-

tion. Having at this period formed no very decided opinions on politics, and in particular upon Irish affairs, I approached the great statesman (who in retirement mourned over those miseries which he clearly foresaw, but could not prevent), with sentiments of admiration and respect, which progressively increased, till that melancholy hour when, several years afterwards, I saw him breathe his last.

“ When I first visited St. Anne's Hill, the summer was yet young, and all the freshness of nature was upon that beautiful spot: its sloping glades were unparched by autumnal suns; the flowers and shrubs were redolent with sweets, and the full choir of birds, which burst from every tree and shady recess, filled the heart with gladness, and with that reviving sentiment of pleasure, which at that period is felt by minds of sensibility. The rich expanse of cultivated country; the meadows, corn, woods, and villages, till the sight caught the far distant smoke of London; the graceful Thames, winding below that hill, which was the interesting residence of England's greatest character, gave a magical, but not delusive, effect to all I saw. This picture of serenity and rural happiness, when the rash and imperious councils of the English Cabinet were every where producing discord, and laying the foundation of French aggrandizement, was sufficiently striking to impress the imagination in a most powerful manner; and the long series of calamities which followed—blood, devastation, and torture, in Ireland;—suspension of constitution in England;—overthrow of ancient continental kingdoms,—and the unchecked and fearfully augmenting power of regenerated France, subsequently gave to the feelings of that



that moment a prophetic stamp, which has been confirmed to a degree that is astonishing, even to those who, in the commencement of his crusade, dreaded the effects, and forebode many of the consequences, of Mr. Pitt's measures.

"This period of retirement, abstracting the anguish he must have felt for the miseries of the world, was, I am satisfied, the happiest period of Mr. Fox's life: assuredly the only proper part for a truly great man, if he cannot advantageously influence the councils of his country, is, in complete retirement to devote himself to the cultivation of his mental powers, and to wait for that sentiment of conviction arising in the people, which ultimately, under a free constitution, becomes irresistible. It was upon this principle Mr. Fox acted, and would, I am persuaded, have continued to act, had not the powerful ties of friendship, which bound his susceptible heart, drawn him again into the fatal vortex of politics. In what degree it is to be regretted, that this inestimable man should ultimately, by his return to parliamentary warfare, and final accession to power, along with Lord Grenville, have injured his health, and somewhat diminished the lustre of his reputation, the future historian will mark with care—his friends with deep but fruitless sorrow—and the public, through a long course of calamity opening before them, will hereafter *unavailingly acknowledge*."

"The domestic life of Mr. Fox was equally regular and agreeable. In summer he rose between six and seven; in winter before eight. The assiduous care, and excellent management, of Mrs. Fox, rendered his rural mansion the abode of peace, elegance, and order, and had long

procured her the gratitude and esteem of those private friends, whose visits to Mr. Fox, in his retirement at St. Anne's Hill, made them witnesses of this amiable woman's exemplary and endearing conduct. I confess I carried with me some of the vulgar prejudices respecting this great man! How completely was I undeceived! After breakfast, which took place between eight and nine in summer, and at a little after nine in winter, he usually read some Italian author with Mrs. Fox, and then spent the time preceding dinner at his literary studies, in which the Greek poets bore a principal part.

"A frugal but plentiful dinner took place at three, or half past two, in summer, and at four in winter; and a few glasses of wine were followed by coffee. The evening was dedicated to walking and conversation till tea-time, when reading aloud, in history, commenced, and continued till near ten. A light supper of fruit, pastry, or something very trifling, finished the day; and at half past ten the family were gone to rest; and the next and succeeding dawn ushered in the same order and elegance, and found the same content, the same happiness, and the same virtuous and useful life.

"A life so sacred, such serene repose,  
Seemed Heaven itself."

Alas! those scenes are for ever closed; that heart which throbbed with every fine feeling is cold;—those private virtues which made St. Anne's Hill so delightful, those public ones, which might have benefited mankind, are lost. It is with pain and reluctance I go on; but the dictates of friendship and truth ought to be obeyed. One small record, summed with, and

uncontrolled by party motives, shall afford to posterity; if it survive, some means, though imperfect, of appreciating the private character of the most illustrious, but often the most calumniated, of public men in the eighteenth century:—No monument yet marks a nation's gratitude towards him; and the all-prevailing ascendancy of the system which Lord Bute, Lord North, and Mr. William Pitt, successively defended and propagated, has stifled every parliamentary expression of respect and veneration, for the memory of CHARLES JAMES FOX; whilst a successful skirmish, or a dubious battle, unites all parties in conferring honours and rewards! Nor do I think it is one moment to be admitted; that so unfortunate a politician, as his parliamentary rival, could have been Mr. Fox's coadjutor in office: their principles were diametrically opposite: the one was a practical lover of arbitrary power, and in his own person exercised it too long for the glory of his sovereign, or the happiness of his people. The other was a sincere friend to a limited monarchy, the only species of government recognized by the British constitution, was a benevolent statesman of the first order, and was an undaunted advocate for liberty, whether civil rights, or freedom of conscience were concerned. Ministries formed of repugnant and conflicting materials cannot be permanent or efficient. Every department ought to be filled by men of whom the statesman, who undertakes to conduct the affairs of a nation has the selection; and on whose principles, as well as talents, he can rely. The disorder which otherwise takes place from the counteraction of the inferior servants of government is of the worst kind, paralyzing every grand measure of the head

of the ministry, and even controlling his intentions.

"The great genius of Mr. Fox, to have been efficient, should have reigned supreme in the management of public affairs. Mr. Pitt, under the wholesome restraints, and instructed by the enlightened mind of that great man, might have conducted a subordinate department with benefit to his country; but as to co-operation with him, on any system of co-ordinate power, the plan must have been detrimental to the public service, as long as it was attempted; and certainly would have been degrading to Mr. Fox. The more I have considered, the more am I persuaded, that his own conception of retirement was the true rule of conduct to follow; and being one of the most disinterested of men, and having no impatience to attain power, it would have been as easy as wise in him to have adhered to it.

"At the period to which I allude, he was beginning to turn his attention to an historical work, and our readings after tea were directed to the furtherance of this grand and useful object. Happy were those evenings, when the instruction of the historian—the pointed remarks of the statesman—and all the ease and happiness of domestic society were united. The occasional visits of men of talents and high character sometimes pleasantly interrupted the evening's employment; but I have never seen Mr. Fox more perfectly happy than when we were quite alone. He was so utterly divested of a wish to shine, or of any appetite for flattery, that he in no manner required, what is called, company, to enliven or animate him. A lover of nature, and consequently an enemy to art, he held, I think, above every quality, sincerity

erity and unaffectedness; and, being also of a character singularly domestic and amiable, he found in his little circle all he wished and wanted. To his other attainments he had added a very considerable knowledge of Botany; and, without making it a primary object, enjoyed every pursuit connected with Agriculture, in a high degree.

"About the end of the year 1799, Mr. Fox met with an accident of a most alarming nature. He was very fond of shooting; and as he was following that amusement one day in the neighbourhood of Chertsey, in company with Mr. William Porter, of that town, his gun burst in his hand. The explosion having shattered it much, he wrapped it up, and returned to St. Anne's. As no surgeon in the country would undertake so delicate a charge upon his own responsibility, Mr. Fox was advised to go instantly to town. An early dinner was provided, the chaise ordered, and, accompanied by Mrs. Fox, he very shortly set out for London. Mr. Porter told me that he manifested no impatience or apprehension, though the anguish he suffered must have been excessive; all the anxiety he testified was lest Mrs. Fox should be agitated and alarmed. On his way to town he composed the following verses, which display a tenderness of disposition, and an exquisite sense of feeling, rarely met with (unhappily for the world) in those statesmen who rule mankind.

"How can I at night repine,  
While my dearest Liz is mine?  
Can I feel or pain or woe,  
While my Lizzy loves me so?  
Where's the sorrow, that thy smile  
Knows not sweetly to beguile?  
Sense of pain, and danger flies  
From the looks of those dear eyes:  
Looks of kindness, looks of love,  
That lift my mortal thoughts above.

While I view that heavenly face,  
While I feel that dear embrace,  
While I hear that soothing voice,  
Tho' maim'd or crippled, life's my choice;  
Without them, all the fates can give,  
Has nought would make me wish to live;  
No, could they foil the power of time,  
And restore youth's boasted prime,  
Add to hono<sup>r</sup>, fame, power, and wealth,  
Undisturb'd and certain health;  
Without thee, 'twould nought avail,  
The source of every joy would fail;  
But lov'd by thee, by thee carew<sup>d</sup>,  
In pain and sickness I am bless'd."

"Though many estimable, and subsequently very elevated characters, visited at St. Anne's Hill, I never liked it so well; as when we were quite alone. There was a perfect originality of character in Mr. Fox, that made his society always new, and always preferable to that of most other men. Professional cant, and party ideas in general, give a monotony to the minds of distinguished members of society. Accustomed to view things constantly in one way, and not seeking for new ideas, but rather occupied in advancing or defending their old ones, their conversation does not create new sensations, and frequently wearies rather than delights. Mr. Fox himself was so little obtrusive in this respect, that I recollect feeling a good deal of embarrassment at first, on observing how frequently he was inclined to silence, waiting for others to begin a conversation. I soon discovered, however, that he was pleased at its originating with another; and, so great was his benevolence, as well as unbounded his capacity, that whatever was started, in the smallest degree interesting, useful, or natural, received illustration and indulgent investigation from him. How well do I recollect the evenings when he came down to breakfast—how benignant and cheerful—how pleased with every thing—how

free

free from worldly passions, and worldly views, he was! Nor were Mrs. Fox's captivating manners conducive in a faint manner to the harmonizing of every thing around: the watchful and refined attention she paid to her guests anticipated every thing they could desire, and charmed away every feeling of embarrassment, which diffidence, in the presence of so exalted a character, might be apt to occasion.

"At breakfast, the newspaper was read, commonly by Mr. Fox, as well as the letters which had ar-

rived; for such was the noble confidence of his mind, that he concealed nothing from his domestic circle; unless it were the faults, or the secrets of his friends. At such times, when the political topics of the day were naturally introduced by the paper, I never could observe the least actimony or anger against that party which so assiduously, and indeed successfully, had laboured to exclude him from the management of affairs; by misrepresentations of his motives, rather than by refutations of his arguments."

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#### ACCOUNT OF THE RIGHT HON. C. J. FOX AT PARIS.

[From the same.]

"THE new year, according to the republican style, was now (the 18th of September) commencing: five complimentary days preceded the 1st of Vendémiaire. The French government, always attentive to the amusements of the people, had ordered fêtes, illuminations, and the exhibition of the produce of national industry, to take place on this occasion. Paris, in consequence, was gay beyond measure. The fête, which was held in the Champs Elysées, although attended by so many thousand people, exhibited no disorder or impropriety; no intoxication was to be observed, every one enjoyed the various sports: the day was excessively fine, and there could not be a more pleasing sight. In the evening illuminations at the Thuilleries succeeded, which had a delightful effect; the gardens were open, and every person permitted to walk about as they pleased. At this time, splendid parties at the Marquis de Gallo's,

and M. Luccbesini's, took place, and the round of amusements and pleasures, which followed one another, scarcely left time to dress, and not much to think. This lasted but a very few days, and closed with the exhibition at the Louvre. A square had been fitted up with temporary shops, an esplanade and pillars; within these shops were deposited every thing rare and excellent, the produce of the national industry.

"Previous to the indiscriminate admission of the people, a few were permitted to see this admirable display of national wealth. Mr. and Mrs. Fox, General Fitzpatrick, Lord St. John, and myself, went the first day. The first Consul, attended by his guards, came in a plain coach. I had an opportunity of judging better of him here than at the levee. He walked in public with an inflexible and commanding gravity: the smallness of his figure lost its disadvantages in the awful severity of his countenance; his step was measured

measured and calm, and his eyes did not wander, but were fixed, or looked straight forward. As the first magistrate of the state, and its military chieftain also, he carried himself with great propriety and decorum in public, and there was nothing ferocious or rough in his demeanour. He spoke some time to Mr. Fox, who was in one of the shops, but as I was not with him, I cannot relate the conversation.

"This exhibition of the produce of national industry was very interesting; the finest silks, the most beautiful tapestry, porcelaine, lace, cambrics, furniture of every kind, and of new inventions, works in steel, glass, marble;—every thing which an ingenious and flourishing people could send to Paris, from every quarter, were here exhibited. It was a most pleasing and instructive sight, and an example worthy of the imitation of all nations.

"As our time for going to M. la Fayette's approached, I anticipated with delight the pleasures of the country, and the society of the family at La Grange. Mr. Fox looked forward to it with great satisfaction; his friendship for its possessor, and natural inclination for the country, attracting him strongly there.

"A residence of a considerable time in Paris with him, had confirmed, and increased my sentiments of admiration and esteem for this truly great man. His moderation and simplicity were perfectly unchanged in this great vortex of vanity, pomp, and pleasure: receiving daily the most flattering (and, to any other man, intoxicating) marks of general esteem and applause, from French, English, and other persons of almost every other nation: he was uniformly the same: no variation appeared, and not a shadow of vanity passed over his

character. At times walking alone with him, in an evening; in the garden of the Hotel de Richelieu, I have been instructed and always interested by his conversation. The French government did not inspire him with any respect for its constitution, but he took a philosophic and statesmanlike view of it. At these times his manner was peculiarly serene; his conversation candid and undisguised—saying little—listening a great deal, and then interposing a simple yet powerful remark, founded on history and the nature of man. He listened with complacency to every statement of facts, and though he drew different conclusions from them, was far from being displeased at opinions more unfavourable to the French government than his own. These were precious moments. Mr. Fox instructed often by a look, and the smile which said so expressively, yet good-naturedly, "surely you are going too far," was not to be forgotten.

"This method of instructing or improving a youthful and inexperienced mind, was a very singular one. He allowed his companion to talk, to ask questions, and to express opinions quite dissimilar to his own; but by withholding his approbation, by the smile of doubt, and a gentle dissent on one or two points, he brought him to reconsider the question (allowing him his full merit for original and sound remark), and by dispassionate investigation, to correct the errors incident to hasty and ill-grounded opinions. Truth was his sole object, and he never disdained the humblest attempts to elucidate it in others, if he was clearly satisfied with their sincerity.

"It cost him no pain to surrender his own opinion upon conviction—

tion—he readily did so; but there were two vices in society singled out, and deservedly lashed, by the excellent author of *Joseph Andrews*; which Mr. Fox mortally hated—**HYPOCRISY** and **ASPERSION**;—these were quite intolerable in private and intimate society to him; and he never assumed any appearance of esteem, where he did not feel it. He kept a plain and moderate table at Paris, where his earliest friends were often found. One of them, Mr. HARE, then at Paris; was too ill to dine out; and Mr. Fox visited him often. Mr. Hare, once the brilliant meteor in society whose wit, and powers of pleasing, were amazingly great—the friend of Mr. Fox, and the men of genius of the day; I saw then declining in his sphere—the languid countenance and feeble frame betokened approaching dissolution—his eyes yet beamed with tremulous fire, and his mind was clear and undisturbed. He testified much affection for Mr. Fox, and seemed to revive at his presence. His decease was not far distant! How little was I aware that his illustrious friend would follow so soon!

Mr. Fox seldom entertained at his table more than six or eight. The conversation was always cheerful and pleasant. I recollect M. de Narbonne, an ex-minister, dining with him. A man of more vivacity than talent, an eloquent talker—a great admirer of Hume, the English historian, and consequently no enemy to royalty. At one of those pleasant small dinner parties, I have seen Mr. West and Mr. Opie, and heard Mr. Fox discuss the merits of almost all the great painters with great acumen, taste, and discrimination. Such parties were greatly preferable to the dinners at the Minister for Foreign

Affairs. What a contrast too! At the one the smooth intercourse and studied dissimulation of the world;—at the other, sincerity, politeness; and wit!

Previous to our leaving Paris for La Grange, Madame Calanthe, vi-devant Tallien, gave an elegant and sumptuous dinner to Mr. Fox, and other distinguished foreigners. Every thing which tastes genius or art, could contrive, conspired to make this the most perfect sort of entertainment I had witnessed. Madame Calanthe was a most lovely woman, something upon a large scale, and of the most fascinating manners. She was rather in disgrace at court, where decorum and morals were beginning to be severely attended to. Madame was supposed, when separated from her husband, to have been indiscreet, and did not appear there.

Most of Mr. Fox's friends were at this dinner; but the surprise, and, indeed, displeasure of some English characters of political consequence, was great, at finding that Mr. Arthur O'Connor was one of the guests. This had been done inadvertently by Madame Calanthe, and was certainly not considered. Mr. now Lord Erskine, was extremely uneasy, lest evil report should misrepresent this matter in England; but Mr. Fox, ever magnanimous, treated it as an unavoidable, though unlucky circumstance. He spoke to Mr. O'Connor as usual, and lost none of the enjoyment of the evening from an event, which being trivial, must be forgotten when malignity was fatigued with recounting it. I do not recollect upon the whole, that Mr. Fox saw this gentleman more than twice during his stay in Paris. It was, indeed, understood that the French government did not look with a favourable eye

eye upon the Irish exiles, and they certainly received no public countenance whatever.

"Madame Cabarrus had a charming house, at the extremity of the city; the gardens were pretty, and taste reigned every where. This fascinating woman exerted herself for the accommodation of her guests with infinite kindness and elegance. She was scarcely satisfied to allow her servants to do any little office in the course of a delightful evening, but often anticipated the wishes and wants of her guests herself. French horns played during dinner, and in the evening, with a very happy effect, being well placed, and admirably played. A ventriloquist of extraordinary powers entertained us extremely. His imitation of a revolutionary committee in the corner of the room was admirable, as well as several other proofs he gave of this astonishing talent. M. Tallien was himself at this time in Paris; but all intercourse between him and his wife had ceased. Lord St. John, who afterwards met him in a private company, told me, that he gave a very interesting account of the apprehension of Robespierre. It will be recollected that Tallien was one of the principal persons concerned in the seizure of the Robespierres, and in overthrowing that execrable tyranny.

"On the 1st Vendemiaire (September 23d) another levee was held, at which Mr. Fox was present. The first Consul was not more penetrating on this occasion than on the former, respecting Lord Erskine. The ceremony was similar to that of the former levee. It was usual to invite those presented at a former one, to dinner on the subsequent one. Mr. Fox, on this occasion, therefore, dined with the first Consul. I recollect well his return in

the evening to the hotel de Richelieu: he said Buonaparte talked a great deal, and I inferred at the time, that he who engrossed the conversation in company with Mr. Fox, debarred himself of much instruction, and did not feel his value sufficiently. Mr. Fox, however, was pleased, or I may say amused. After dinner, which was a short one, the first Consul retired, with a select number, to Madame Buonaparte's apartments in the Thuilleries, where the rest of the evening was spent. Mr. Fox appeared to consider Buonaparte as a young man who was a good deal intonicated with his success and surprising elevation, and did not doubt of his sincerity as to the maintenance of peace. He manifested some irritation against a part of Mr. Pitt's ministry, as having instigated and been privy to plots against his life, particularly that of the infernal machine; and actually named one individual, whom he reproached with having aided it—the late Mr. Windham!—Mr. Fox did every thing to discharge the mind of the first Consul from such an idea, as far as his own positive contradiction, and as his belief strongly expressed, could go. Buonaparte spoke a good deal of the possibility of doing away all difference between the inhabitants of the two worlds—of blending the black and the white, and having universal peace! Mr. Fox related a considerable part of the evening's conversations, with which he was certainly much diverted, but he had imbibed no improved impressions of the first Consul's genius from what passed.

"For my part, I was quite satisfied with levees, and great dinners and parties, and now looked with unfeigned delight to our departure for La Grange."

## VISIT OF MR. FOX TO M. DE LA FAYETTE, AT HIS CHATEAU.

[From the same.]

"ON the morning of the 24th of September we left Paris for the country. There was nothing striking in that part through which we passed, formerly called the Isle of France. As we approached La Grange, it became evidently a corn district. The towers and wood of the Chateau appeared in peaceful repose as we drove near; and when we gained a full view of the building, I felt great emotion. It was the residence of a great and good man—a patriot and friend to mankind, whose life had been consecrated to virtue and liberty. Such truly was *M. de la Fayette*. The chateau was of a very singular construction, quadrangular, and ornamented by Moorish towers at each angle, which had no unpleasing effect. A ruined chapel was near the mansion: the fosse was filled up through neglect and a long lapse of time. We drove into the courtyard. The family came to the hall to meet us. That good and amiable family, happy in themselves, and rejoicing to see the illustrious friend of La Fayette! Can I forget that moment? No silly affectation—no airs of idle ceremony, were seen at the residence of him who gloriously and successfully had struggled for America, and had done all he could for France!

"M. de la Fayette and Madame received Mr. and Mrs. Fox with the heartiest welcome. The family consisted of two daughters, a son, and his wife—all young and elegant—all living with M. de la Fayette, as their brother and friend. As his figure was youthful and graceful

(his age at this time being about forty-nine or fifty), he appeared quite a young man. His benevolent countenance—his frank and warm manners, which made him quite adored in his family—and his placid contentedness, amounting to cheerfulness, altogether had an irresistible effect in gaining the affections and esteem of those admitted to his more intimate society.

"Madame de la Fayette, of the ancient family of Noailles, was a superior and admirable woman, possessing the high polish of the ancient nobility, eloquent and animated. Fondly attached to M. de la Fayette and her family, she regretted nothing of past splendour, she possessed a cherished husband, and was happy in retirement. M. de la Fayette's son was a pleasing young man; his wife very engaging and interesting; his daughters were charming young women, quite free from the insipid languor, or wretched affectation, which, in young women of fashion, so much destroys originality of character, and makes one find in a fashionable young lady the prototype and pattern of ten thousand. In a word, this amiable and most interesting family seemed united by one bond of affection, and to desire nothing beyond the circle of their tranquil mansion.

"It is necessary to recur to some past events in M. de la Fayette's life, to do full justice to such a family. It is well known that M. de la Fayette had been arrested on leaving France, and thrown into the dungeons of Olmutz. He had continued imprisoned a considerable time,

when



when Madame de la Fayette, unable to bear her separation from him, determined to make an effort for his liberty, or to share his fate, and set out for Germany, with her young and lovely children. At the feet of the emperor she implored his majesty to release her husband, or to allow her to participate in his confinement. Her first request was coldly refused;—she was, however, permitted to visit her husband. From that time, for several years, she never left him, herself and daughters sharing with him every inconvenience and misery! The damps of his prison hurt the health of Madame, and she had never entirely recovered from their baneful effects. Buonaparte, to his honour it must be recorded, interposed as soon as he had power effectually to do so, and insisted on the liberation of M. de la Fayette. Accordingly, at the period of which I write (1802), he had not long arrived in France; having come by way of Holland, with his virtuous and excellent family, the partners of his captivity, and soothers of his sorrows.

“The chateau and estate of La Grange, which Madame, who was an heiress, had brought him, was all that remained of his fortunes; he had lost every thing besides, in the madness of revolutionary confiscation, and had not yet been able to procure restitution or compensation. To add to the interest of the scene, General Fitzpatrick, who had known M. de la Fayette in America, and had vainly attempted in the English House of Commons to rouse the Pitt ministry to a sense of humanity and commiseration for M. de la Fayette, joined the party at La Grange. That accomplished man was an addition to it of the most pleasing nature; and he was received most affectionately by the

family. I have often contemplated with pleasure, General Fitzpatrick and M. de la Fayette walking in a long shady grove near the chateau, speaking of past times, the war in America, and the revolution in France. The rare sight of three such men as Fox, Fayette, and Fitzpatrick, was grateful to any one who felt rightly, and valued men for their services to humanity, rather than for successful ambition. Lally Tollendal also, whose father had, under the old regime, suffered so severe a fate, was at La Grange, an open, honest, and agreeable man; telling a great number of anecdotes, relating to the revolution, with point and energy, and resembling the Irish in his good-humoured and unstudied manners; anxious to contribute to the pleasure of M. de la Fayette's guests, and pointing out every thing agreeable to English customs and habits. In the evenings, he read extracts from Shakespeare, translated by himself into French, with an almost stentorian voice, and much effect. A few of M. de la Fayette's country neighbours were also occasionally invited; his table was plentiful, and our evenings diversified by conversation, chess, or some other game, as was most agreeable. Madame was extremely pleasing in conversation, and narrated her adventures and sufferings in Germany, with great vivacity and ease.

“The chateau itself was ancient, and simply furnished; the library, at the top of one of the towers, a circular room, with a commanding view from its windows, was adorned by the busts of Washington, Franklin, and other distinguished American patriots, as well as by those of Frenchmen of genius in modern times. The wood, which adjoined the chateau, was a beautiful one, divided in the old style by long green

green alleys, intersecting one another, admirably adapted for a studious walk, or for reading remote from noise. Here was a place to enjoy the sublime and eloquent writings of Rousseau; and here I was happy to lose all thought of Paris and the world, filled with the grateful sensation, that I was the guest of a man so excellent as La Fayette. I often, too, had the satisfaction of conversing with him, as he was so unaffected and mild, that I had no difficulty in addressing him: he talked of Ireland, and Sir Edward Haversham; and inquired very much concerning the ancient Wolf Dog, one of which race (extinct I believe in France) he desired much to procure. All his sentiments were noble, and his mind was animated with a true feeling for liberty. He spoke a good deal of America, and told me, that so great was the jealousy of the Americans against foreign troops, that he was obliged to consent to reduce the number stipulated for, though he afterwards negotiated for more at home, to make the aid effectual! Worthy and respectable man! If I have seen you for the last time, my wishes for your repose, and my gratitude, shall ever be alive. I shall ever dwell on your name with reverence and affection; and those delightful days I spent at La Grange, shall remain consecrated in my memory, as among the most fortunate and pleasing of my life.

"The political career of M. de la Fayette had not, it is true, the same happy result in France as in America; but it is to be considered, that his situation in the former was arduous beyond measure. A friend to a limited monarchy, and to the legitimate rights of the people, at a time when the support of one was deemed hostility to the other, he

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found it impossible, consistent with his principles, to fall into the mania of the nation. A king of integrity and firmness, with La Fayette as his counsellor, might have been safe, even in the tumultuous times preceding the seizure of the commonwealth by sanguinary demagogues; but Louis, it is to be feared, wanted both these qualities, certainly the latter! La Fayette failed, therefore, in his patriotic views, not, as the first Consul is said to have insinuated, because he attempted what was impracticable; but because those whose interest it was to second his views, and whose happiness would have been insured by them, did not support him. A ruined throne, and desolated country, subsequently attested the purity of his principles, and the soundness of his judgment.

"M. de la Fayette had begun to devote himself much to agricultural pursuits, (the happiest occupation of man!) and had entirely withdrawn himself from political affairs. His house and family were excellently well regulated; each had their own employment; till dinner, every guest was left quite free to follow his studies; to walk and explore the country; to write; to act as he pleased:—dinner reassembled every one; and the hours flew swiftly past. Mr. Fox was very happy at La Grange; every thing suited his taste there, and he had, besides, the gratification of seeing his friend, after a life of dangers, and years of captivity, sheltered, at length, on the moderate estate of La Grange—having all his family around him, and conscientiously satisfied that he had done every thing for his country that his powers and opportunities had allowed.

"His garden, which was large, but had been neglected, also occupied

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pied a good deal of the attention of M. de la Fayette. He was in the evenings engaged in his farms, and enjoyed, with much relish, the excursions of agriculture! We remained a week at La Grange. I left it with great regret. The same kind and hospitable family bade us adieu; they lingered on the staircase. We took leave of Madame. It was for

the last time! That amiable woman, never having recovered her health, is since dead; and the lovely estate of La Grange stands deprived of its hospitable mistress. M. de la Fayette, in the year 1803, sustained a dreadful fracture of his thigh bone, but recovered, and continues to reside in his retirement at La Grange."

### ACCOUNT OF MR. FOX DURING HIS LAST ILLNESS.

[From the same.]

"MR. FOX began to long for St. Anne's Hill, and preparations were making there for his reception, when we perceived, with sorrow, that his disorder was returning with redoubled violence. We had indulged in that delusion into which hope leads her votaries in the most desperate cases; and in proportion to the increased love, esteem, and admiration, which Mr. Fox inspired, we clung more anxiously to the pleasing symptoms, which threw a gleam of joy over the prospect, and we endeavoured to close our eyes upon what was threatening and unpleasant. An alarming drowsiness crept frequently upon him, and he again evidently increased in size. At this period, I well recollect his again recurring to the *Æneid*: and I then read, at his desire, the fourth book two or three times: on these evenings he occasionally dozed, but I continued my reading, happy, by the sound of my voice, to contribute to a longer oblivion of his pains and uneasiness, which again became very great. As he would awake, his attention caught the part I read; by his great memory, he easily supplied what he

had lost, and he never desired me to return and read any passage again. The admirable picture of a distressed mind, with which that book opens, seemed to describe, in some manner, his own restless uneasiness: and in hearing of the woes and death of the unfortunate Dido, he forgot, for a little, the cruel pains which afflicted himself. That beautiful and affecting picture of a lingering and painful illness, was but too faithful a portrait of his own situation.

*"Ille gravis oculos constans attollere, rursus  
Deficit: infirmum stridit sub pectore vulnus.  
Ter sese attollens, cubitoque adnixa levavit:  
Ter revoluta toro est, oculisque errantibus  
Quasi circumfusa lacum, ingemuntque reperta."*

"He no longer was equal to getting into the garden-chair, and all our little social excursions round the grounds of this seat were stopped. He soon also became unable to go out in the carriage, and the gathering gloom, which darkened all our hopes, daily increased.

"The multitude of letters from individuals in England, Scotland, and Ireland, which daily poured in, and many even from the lowest classes,

classes, giving information of different remedies for the dropsy, were amazing. I answered them, as long as it was in my power, but the number was so great, that, consistent with the attention requisite to Mr. Fox, I found it impossible to do so. The interest excited was quite of a sincere and affectionate kind, and proved to me that no man had merited it better, so no one had ever possessed the love and confidence of the people in the same degree as Mr. Fox. He was gratified by this sincere and unaffected mark of regard, and wished, as far as was possible, the letters to be acknowledged with thanks. Here, in truth, was the statesman's true reward—the approbation and gratitude of the people—here was honour which wealth could not purchase, or rank or power!—here was the tribute due, and paid, to the inestimable character the world was soon to lose! Every minister and statesman has adherents and friends; because he has, or has had, means of serving and promoting the interests of many; but it has rarely occurred, that three nations would pour in around the bed of a dying statesman, their anxious solitudes, their hopes, and their advice for his health. Why was it so? Fox was the friend of mankind, and soared so much above common ministers and statesmen, in benevolence and every christian virtue, as he did in genius and knowledge.

Many letters of a political nature, proved the independence of the character of Britons, and also the great political estimation of Mr. Fox, founded on the soundness of his principles, which pervaded every class, and strongly contrasted him with the despotic minister he had so long opposed. Around the bed of the patriot minister, the blessings

and prayers of three nations were offered, while he continued to exist:—on his couch, no curses of the oppressed, no

*"groans not loud but deep,"*

assailed him to trouble his intervals of rest, or heighten his moments of anguish! His long career had been marked by exertions for the happiness of mankind: he had cared little for the ordinary objects of men—he had not panted for power for the sole pleasure of dictating to others—he had had but one object ever in view—it was simple and grand—the happiness of nations! The Protestants, Dissenters, and Catholics—the black inhabitants of distant climes—all held a place in his heart as men. What could disturb the moments of such a mind? What was to revive one anxious, doubting thought! Had he not followed all the precepts of Christianity, and carried its divine doctrines into the very cabinet and the closet of his sovereign? Had he not consecrated his boundless talents to struggles for liberty and peace, and in worshipping his God with a pure heart, had he not all the merit of a sublime charity, which expanded over every nation, and acted powerfully for his own, to offer at the throne of an immortal and benignant Deity?—No torturer had shaken his lash, and prepared his torments under his ministry—no system of intolerance, debarring man of his right of religious liberty, had cramped society under his auspices—no persecution of the press—no banishment or imprisonment, or trial for life of any citizen for freedom and political opinions—no unchristian or unwise attacks upon an agitated and suffering nation, which sought but liberty and peace—no despotic pride, which

trampled the people and elbowed the sovereign---had distinguished his ministry! He was departing as he had lived, the unshaken friend of all the just rights of man---no calumny had deterred---no weak fears had ever prevented him from defending them. What was to disturb the last hours of such a man?

"General Fitzpatrick, whose constant attention spoke the true and unchanged friend, to the last moment of Mr. Fox's life: Lord Holland, whose affectionate attentions were those of a son; and Miss Fox, who to all the amiability of her sex joined the superior and philosophic mind of her uncle. Lord Robert Spencer, sincere and affectionate, and enlivening to his departing friend---Mrs. Fox, of whose unwearied and almost heroic exertions---of whose tender heart, which throbbed in unison with his, and vibrated at every pang he felt, who never left his bed-side, but to snatch a little repose to enable her to renew her cares, and of whom the pen which writes cannot describe the excellence, the duty, and attachment manifested in the awful moments preceding Mr. Fox's dissolution---myself---not more than beginning to discover all the brightness and beauty of his character, but anxious to pay debts of gratitude and affection---now, were the only persons admitted to his apartments---friendship, and all its endearing offices, was what Mr. Fox above all men was entitled to, at this afflicting period. His whole life had been remarkable for his constancy, and warmth of attachment to those he selected as his friends; the late Duke of Devonshire, as well as the Duchess Dowager, were most unremitting and kind in every care and attention, that a noble hospitality, and sin-

cere affection, could bestow. The Duke, whose friendship was warm for Mr. Fox, was among the last who were admitted to see him.

"London and Chiswick House now presented most strongly-contrasted scenes; a new ministry was raising its head in the metropolis, of which Lords Grenville and Grey were the leaders. I do not know that Mr. Fox's opinion was ever taken upon the formation of another ministry, and of its future measures; and I fully incline to think that it was not. The dispatches had long ceased to be laid before him, and the last political news intimated to him, was the refusal of Alexander to ratify the treaty concluded at Paris by his minister. As his disorder had become entirely confirmed, and little or no hope existed of his recovery, the cabinet ceased to look to him for advice; and, before his great mind was harassed by the second inroad made by the disorder, they seemed to hold his retreat to Chiswick as a virtual resignation of office.

"Lord Grenville never came there; Lord Grey, I think, rarely. As the world was receding from the view of the illustrious character who had given the ministry all its lustre, I contemplated with calm indifference the busy movements of men, and inwardly smiled at the sanguine, and I may say, presumptuous ideas of those, who thought that a ministry, in opposition to a tory party, without Fox, could maintain a strong position between the court and the people; above all, who imagined that on the rupture of the negotiation, success would follow the revival of the old plans upon the continent. I knew how very grand and original were Mr. Fox's ideas, in case of the continuation of hostilities, and I expected not

not that the new ministry, which was growing out of his secession from politics and business, would imitate his benevolence towards the people, or that they could invent or prepare those plans which, like the bolt of Jove, might fall, sudden and irresistible, and change the face of war, or inspire new and strange feelings in a triumphant and insolent enemy.

"There was, as every one must allow, the conduct of active and attentive politicians in this; but still it was but the manner of ordinary men! Had I seen them hovering round the couch of departing genius, and catching from his lips those admonitions, which those who are leaving the world give with peculiar effect, I should have augured better of the coming time. Had that deference to so great a political character brought them to seek his last ideas, as illuminating principles to guide and inform them, I should have said, England's star is not yet obscured; and if the spirit of Fox lives in their councils, she may escape every threatening evil. It would be improper and unjust to say, that the cabinet felt relieved by Mr. Fox's removal, as that of a superior mind eclipsing every other; but it is allowable to say, that they did not evince that anxiety for his health, which often induces men to cling to the last to a friend and adviser, to extract from him those sentiments, or that council, which may, in some measure, supply his place. That Mr. Fox would not have refused such aid to his country, even while he hovered on the brink of a better world, his whole life and conduct prove; and that he was capable of doing so, with a mind in full vigour to his last hour, I myself can, beyond contradiction, testify. But the busy ways of politicians ad-

mit not of delay—their plans are rarely regulated by those sublime rules which make the safety of the commonwealth the paramount, and anxiously sought for, object. None of that wisdom and patriotism, which sought out Timoleon, even blind and old, to gather from him his opinions, and to listen to his admonitions, presided in London at this period. Public affairs were to go on, and the progress of the state machine was more thought of than its happy arrival at some grand and desirable goal.

"On the other hand, at Chiswick House, the great man, who had so often and so vainly struggled to save his country from the errors into which she had fallen, and who came too late into his Majesty's councils to be able to remedy them, was fast declining, and saw before that country a dreary prospect, and interminable war. Totally unruffled, by what the fretful possessor of power might construe into neglect, he preserved the same unabated serenity, the same magnanimity, as he had ever done. If he inwardly mourned for his distracted country, no complaints escaped him, no impatient censure of any one was heard. Nor was his pure and noble mind less distinguished at this time by a lofty disregard of all worldly concerns. His family, every thing dear to him, stood before him; but relying on the justice of his country, and the honour of his friends, he left it to them to protect those he loved, and guard all he held dear from penury or distress. He had now acted his part in the world,—it was no longer for him to remind any man of what was due to him. Had the ministers requested to have his last advice and commands, I am confident this great man would have summoned all his powers, and had death allowed,

lowed, given them the free dictates of his exalted mind. Had he expired, pouring forth the anxious wishes of his patriotic mind for the happiness of a beloved country, I am fully convinced his last look would have been a smile, his last word a prayer.

"I shortly beheld Mr. Fox in a light which fully justifies, what to some may appear the enthusiasm of affection, or the blindness of admiration. He grew daily worse---his size became very inconvenient, and it was determined by his physicians, that he ought again to undergo the operation of tapping. The day was appointed---the physicians arrived---preparations were made---Mr. Fox, Lord Holland, every one left the room; when, through a feeling both strong and uncontrollable, I determined to remain. My anxiety and sorrow for Mr. Fox were so great, that I feared; in case of weakness, no one might watch him with sufficient attention; in case of any tendency to fainting. What followed raised my opinion of this incomparable man, far beyond what it had yet been. When every thing was ready, Mr. Fox was led from his chamber to the outer room, and placed in a great chair. Great God! what anguish thrilled through me, when he was undressed, and the awful preparation was making to pierce his side. But he---cheerful, friendly, and benignant, was something quite above mortality, giving no trouble---the same sweetness of temper---the same courage which looked down on pain---the same philosophy which made the best of every thing, and the same wish to give his friends or attendants as little trouble as possible, shone forth this day, bright and cheering as the evening glow which rests upon a placid lake. He, who from respect

to suffering humanity, might have desired to retire, or close his eyes, was soon recalled from their momentary weakness, by looking on the sublime object before him. Mr. Fox, during the whole operation, conversed with the physicians, with all his usual force, accuracy, and pleasant natural manners; he mentioned to them his opinion; that in all difficult cases, his own, or any other, it would be advisable for each to write down his opinion, seal it up, and that it should not be examined till the deceased person had been opened, and then the erroneous conclusions drawn would appear. The physicians, astonished, looked at each other, and were at a loss how to answer. During the whole of the operation, even when faintness succeeded to pain, he was cheerful, and seemed desirous; by his own disregard of his situation, to lessen the concern of others. There was much resemblance in his manner to that of a philosophic and accomplished Roman, described by Tacitus in his last moments.

*"Audiebatque referentes, nihil de immortalitate animæ et Sapiens placitis, sed levia carmina, et faciles versus; servorum alios largitiõne, quos de verberibus affectis. Intus et vias, somno indulsit, ut quæquam coacta mors, fortuita similis esset."*

"A similar self-possession distinguished Mr. Fox at this moment, which was of such danger, that immediate death might have followed, and of that danger he was well aware. When the operation was concluded, his great anxiety was to send intelligence to Mrs. Fox, that he had undergone it safely; for as he had heroism enough to rise, in the most trying and agonizing moments, above self, he was also too solicitous to obviate injury to the feelings of others, by destroying doubt,

doubt, and communicating what was pleasant.

"As he felt much relieved, though dreadfully exhausted, the evening of this day proved a happy one; we again ventured to indulge in pleasing ideas, hope again allured us, fondly wishing that some great change might be wrought by nature, we breathed freely; trusting to providence, we looked yet to recovery as probable.

"The operation by no means answered the expectations so credulously and anxiously formed. Mr. Fox was relieved but for a short time; and I began, at length, to dread that the event of his dissolution was not far distant. His uneasiness became very great, and it was necessary to raise him in the bed, and assist him to rise frequently. I thank God, no mercenary hand approached him. Mrs. Fox hung over him every day with vigilant and tender affection; when exhausted I took her place; and at night, as his disorder grew grievously oppressive, a confidential servant and myself shared the watching and labours between us. I took the first part, because I read to him, as well as gave him medicine or nourishment.

"We continued our reading of Johnson's *Lives of the Poets*. How often, at midnight, has he listened with avidity, made the remarks that occurred, then apologised to me for keeping me from my rest; but still, delighted with our reading, would say, 'Well, you may go on a little more;' as I assured him that I liked the reading aloud. At these times he would defend Johnson, when I blamed his severity and unwillingness to allow, and incapacity to appreciate, poetical merit; would refer me to his life of Savage, and plainly shewed much partiality for

Johnson. Of Dryden, he was a warm, and almost enthusiastic admirer. He conversed a great deal about that great English poet; and, indeed, I never perceived, at any time, in him a stronger relish for, or admiration of the poets, than at this afflicting period. I generally read to him till three or four in the morning, and then retired for a few hours; he shewed always great uneasiness at my sitting up, but evidently was soothed and gratified by my being with him. At first he apologised for my preparing the nourishment, which required to be warmed in the night; but seeing how sincerely I was devoted to him, he ceased to make any remark. Once he asked me, at midnight, when preparing chicken panade for him, 'Does this excuse you? I hope it does.' He was so far from exacting attendance, that he received every little good office, every proper and necessary attention as a favour and kindness done him. So unvitiated by commerce with mankind, so tender, so alive to all the charms of friendship, was this excellent man's heart! His anxiety, also, lest Mrs. Fox's health should suffer, was uniformly great till the day he expired.

"Lord Holland and General Fitzpatrick, as he grew worse, came and resided at Chiswick House entirely. Miss Fox also remained there. Thus he had around him, every day, all he loved most; and the overwhelming pressure of his disorder was as much as possible relieved by the converse and sight of cherished relatives and friends. Lord Holland shewed how much he valued such an uncle! He never left him; the hopes of power, or common allurements of ambition, had no effect upon him. His affectionate attention to Mr. Fox, and his kindness to all who assisted that great man, were



were endearing in a high degree. It is true, the habits of nobility, which render men less able to assist themselves or others, precluded every active co-operation in the cares necessary for Mr. Fox's repose; but he was always watchful to preclude disturbance, and always alive to every wish and look of his noble relative. Miss Fox—calm and resigned—grieving, without uttering a word—would sit at the foot of his bed—and often reminded me of the fine heads of females, done by masterly hands, to express sorrow, dignity, and faith in God. There was no ostentation in the simple and graceful manners of Miss Fox: the affecting object of all our cares alone occupied her; and if her feelings did not appear so violent as those of others, they were more concentrated and more intense. In her serenity there was much of Fox; and her conversation, and the candour of her soul, were grateful to him, till pain and uneasiness almost overwhelmed him.

“As he grew worse, his situation became peculiarly distressing; the orifice of the puncture did not close, and the water accumulating, obliged him frequently to rise, and allow it to discharge. His restlessness became very great, and his time was divided between his arm chair and the bed. Mrs. Fox retired early at night, to enable her to rise with the dawn, and renew her unceasing cares. The midnight reading was now affecting and awful to me. I thought that Mr. Fox could not long survive, and I trembled, lest he might suddenly expire, while supported in my arms.

“My limbs, at times, tottered under the weight I sustained; but the goodness of God, and the strength of my affection for Mr. Fox, enabled me to pass through those trying hours, without sinking under fatigue

or sorrow. What a melancholy task to watch by the bed-side in the solemn hour of night of an incomparable dying friend; yet it was soothing to undergo it all; to read, till troubled nature snatched a little repose; and to prepare the nourishment, which was often required to sustain him. On one occasion, as the increase and renewed violence of the complaint had caused him to rise at night, whilst I assisted him; and with a napkin dried up the water from the orifice which incommoded him, he said, in a low voice, and quite to himself, ‘This is true friendship.’

“There was now a plaintiveness in his manner very interesting, but no way derogating from his fortitude and calmness. He did not affect the stoic. He bore his pains as a christian and a man. Till the last day, however, I do not think he conceived himself in danger. A few days before the termination of his mortal career, he said to me at night, ‘Holland thinks me worse than I am;’ and, in fact, the appearances were singularly delusive; not a week before he expired. In the day he arose, and walked a little, and his looks were not ghastly or alarming by any means. Often did he latterly walk to his window to gaze on the berries of the mountain ash, which hung clustering on a young tree at Chiswick House: every morning he returned to look at it; he would praise it, as the morning breeze rustling shook the berries and leaves; but then the golden sun, which played upon them, and the fresh air which comes with the dawn, were to me almost heart-sickening, though once so delightful; he, whom I so much cherished and esteemed, whose kindness had been ever unremitting and unostentatious,—he whose society was to me happiness and

and peace, was not long to enjoy this sun and morning air. His last look on that mountain ash was his farewell to nature!

"I continued to read aloud every night; and as he occasionally dropt asleep, I was then left to the awful meditations incident to such a situation; no person was awake besides myself; the lofty rooms and hall of Chiswick House were silent, and the world reposed. In one of those melancholy pauses, I walked about for a few minutes, and found myself involuntarily and accidentally in the late Duchess of Devonshire's dressing-room; every thing was as that amiable and accomplished lady had left it. The music-books still open; the books not restored to their places—a chair, as if she had but just left it; and every mark of a recent inhabitant in this elegant apartment. The Duchess had died in May, and Mr. Fox had very severely felt her loss. Half opened notes lay scattered about. The night was solemn and still; and at that moment, had some floating sound of music vibrated through the air, I cannot tell to what my feelings would have been wrought. Never had I experienced so strong a sensation of the transitory nature of life, of the vanity of a fleeting world. I stood scarce breathing—heard nothing—listened—death and disease in all their terrific forms marshalled themselves before me;—the tomb yawned—and, oh, God! what a pang was it, that it was opening for him whom I had hoped to see enjoying many happy years, and declining in the fulness of his glory into the vale of years. Scarcely knowing how I left the dressing room, I returned;—all was still. Mr. Fox slept quietly. I was deluded into a tranquil joy, to find him still alive, and breathing without difficulty. His countenance was always serene in sleep; no trou-

bled dreams ever agitated or distorted it; it was the transcript of his guiltless mind.

"During the whole time of my attendance at night on Mr. Fox, not one impatient word escaped him, not one expression of regret or remorse wandered from his lips. Mr. Addison's words, 'See how a christian can die,' might have been throughout more happily applied at Chiswick House, by adding a little to them---Behold how a patriot and christian can meet his last hour!' Could the youth of Britain but have seen the great friend to liberty, and the advocate of peace, in his latter days, what a lesson would not his calm and dignified deportment have afforded! It is not the minister who carries on the public affairs for a series of years, with little benefit, or perhaps serious detriment to his country, who can, in the close of his days, look around, and say, 'I have injured no one;---I have laboured for the happiness of millions;---I have never allowed anger, or pride, or the spirit of domination, to make me forget the interests and feelings of others; I have not professed myself a christian, and embroiled the human race;---but it is the dying patriot, who can loudly proclaim, that he has done all the good to his country and mankind that was possible; and, in the retrospect of a life dedicated to the defence of the rights of mankind; he finds no groans come across his ears from incarcerated victims;---no shades of oppressed and murdered citizens rise in his dim and feeble view, to chase repose from his couch, and tell him, that though despotic, he was not happy;---though descending into the tomb; he could not escape the cries of the injured, or the stings of conscience."

DEATH

## DEATH AND CHARACTER OF WILLIAM WAYNFLETE, BISHOP OF WINCHESTER.

[FROM DR. CHANDLER'S LIFE OF THE BISHOP.]

"IT was much," says an historian, "that in the midst of so many miseries of civil wars, Waynflete should found his fair college," and, we may add, be able to complete it. We must agree too with another writer, that probably "he would have done much more than he did, had he not been hindered by the wars betwene Yorke and Lancaster." But a faint idea has been here given of the times in which he lived. Fervidity and barbarism prevailed in no common degree. Faction, intrigue, and discord, were insatiable of human blood. The terrible picture, drawn by the pencil of a master, would inspire dismay and horror at the situation of the public; while pity and respect would be raised by the sufferings of a small group of peaceable individuals, with Waynflete at their head. His intervals of respite from alarm or trouble had been few and disturbed; but, though he was weary of the spectacle, his dismissal was retarded until he had beheld another grand catastrophe.

"Dr. Moreton, a firm adherent of king Henry, even in the camp, yielding, like Waynflete, to the torrent, had become a favourite with king Edward; who employed him in a negotiation with France in 1474, and made him a privy counsellor and bishop of Ely (1478). He was arrested by king Richard, and committed in custody to the duke of Buckingham; who, disgusted with that usurpation which he so lately, so largely, and so criminally promoted, adopted a plan formed by his prisoner, to unite the Roses, by

blending the pretensions of the two families, in a marriage of the eldest daughter of Edward the Fourth with Henry earl of Richmond, an exile in Brittany, and the sole remaining scion of the stem of Lancaster.

"An insurrection and invasion in 1483, by failing, confirmed Richard in the possession of the crown; and an obsequious parliament passed their usual bill of attainder. But the earl renewed his preparations; and among the students who resorted to him from the university of Paris was Richard Fox, famous for his learning, and attached alike to the party of Waynflete and his college, where he had received his education, perhaps as a demy. He was recommended by Moreton, who had escaped to the earl in disguise, and was intrusted with the equipment of a fleet. King Richard, to defeat the projected union, resolved to expose his niece. His son opportunely died; and poison, it was believed, removed his wife; but he was pressed by the expedition of his enemy. He applied among others to Waynflete to advance money on the occasion, and he complied, probably because he dared not to refuse. The month after, Bosworth field decided between the two rivals.

"The mild virtues, or perhaps the popularity, of Waynflete, had been respected by King Richard. He had also favoured his college, and, besides granting a pardon for lands acquired in mortmain and for any irregularities in their proceedings, had conferred on it a portion of the forfeited estate of the duke of Buckingham, who had been beheaded; but Waynflete

flete is said to have derived great satisfaction from the re-accension of the house of Lancaster to the throne; and the new king, not unapprized of his merit, distinguished him early as a friend of his family. Moreton, who was advanced to the see of Canterbury (June 1467), and Fox, who was made a bishop and lord privy seal, were also kind to the college, and its members.

"In the first parliament of the new king an act of resumption was passed, with provision that it "should not be prejudicial to William bishop of Wyncestre, nor to the president and scholars of Seynt Mary Magdalen in the University of Oxford;" to whom it confirmed the letters patent which had been issued by Henry the Sixth and Edward the Fourth in their favour.

"President Mayew attended the coronation on the thirtieth of October, 1485, and, by order of the founder, was allowed his expenses, fifteen shillings and three pence halfpenny, from the college.

"The life of Waynflete, and the ameries arising from civil discord, were now hastening to a conclusion. He had been employed in establishing and watching over his favourite institution at Oxford above thirty-seven years. He had settled his society under a governor whose conduct he approved; and had given it statutes which he knew to be calculated for the advancement of its welfare and reputation; and for the interests of religion and learning, to the praise and glory of God. It had already produced, and it possessed, many men of eminence; besides younger students, whose talents and application promised to sustain, to equal, or exceed, the renown of their predecessors. He had felt complacency in observing the good effects of his exertions in his career, and from the conscious rectitude of his

own intentions. He had taken his farewell of it in the true spirit of benevolence; recommending to its members, and to all who abode in the college, to maintain, as disciples of Christ, holy obedience, peaceableness, and perfect charity. He was now far stricken in years, and unwilling or unable to attend to public business. As was the custom of the bishops of Winchester, and of other great persons, he had hitherto frequently changed the places of his residence; removing with his numerous retainers, to his various castles or mansions, as suited with the season, their stores of provision, his convenience, or inclination, until December 1485; when he repaired from Southwark to Southwaltham, where he did not survive to the fulfilling the treaty of marriage between the two houses, which diffused joy and consolation over the whole realm.

"An epistle addressed to him in this year, is prefixed to a book entitled "Triumphus Amoræ D. N. Jesu Christi," now among the unprinted manuscripts in the library at Lambeth. The author was Laurence William de Savona, one of the friars minors in London, and a doctor in divinity, who compiled a new rhetoric at Cambridge in 1478, which was printed at St. Albans in 1480. It contains an eulogy on Waynflete and on his college. The writer expatiates particularly on his bounty, of which he tells us the poor had daily and large experience at divers places, at his splendid mansions and at churches; and affirms, that his prudence and wisdom, generosity, alms-giving, and compassion, were every where and generally extolled by the people. Mention is made of the venerable gray hair of the bishop.

"Waynflete prepared for his departure out of this life, with the dignity and calm composure of integrity and a good conscience.

Among

Among his worldly concerns, his college still occupied a principal portion of his care; and Dr. Mayhew was often with him, as he had been before he finally left London. In various matters, which for some reason or other were postponed, he declared his mind and pleasure to him, to be fulfilled by the society after his decease.

"The war between the houses of York and Lancaster had produced twelve pitched battles, in which eighty persons of royal lineage, and ninety thousand men had perished. Many had been the noble sufferers by attainder, confiscation, exile, and the scaffold; many the tragical incidents and vicissitudes of fortune; witnessed during a long life by Waynflete. Even the recent and grateful triumph of king Henry, was attended with sorrow for the bloodshed, for the slain, for the captured, or the fugitive acquaintance and friend. We cannot wonder if, worn with affliction and age, he wished for a speedy release from the burthen."

"On the 27th of April, 1466, he received, says Budden, something as it were of a divine impression or admonition, not unlike that of the prophet to Hezekiah, 2 Kings xx. 1. "Set thine house in order, for thou shalt die, and not live." His will is dated on that day at Southwaltham.

"In the preamble he declares, that he was pining for the life to come, and perceived the day of his expectation in this valley of tears arrived as it were at its eve, and the time of his dissolution near at hand.

"He bequeaths his soul to Almighty God, the Virgin, Mary Magdalen, and the patron saints of his cathedral; and directs that his body should be buried in the tomb which he had provided for it, in a chapel of the blessed Mary Magdalen, in his church of Winchester.

"He then leaves for the celebration

of his exequies, on the day of his sepulture, and on the trental of his obit, as follows, the money to be distributed by equal portions, viz:

"To the prior of the convent of Winchester, besides a cup and cover gilded, forty shillings: to each of the monks, if a priest, thirteen shillings and four pence; if not, three shillings and four pence.

"To the abbot of Hyde thirteen shillings and four pence: to each of the monks, if a priest, six shillings and eight pence; if not, three shillings and four pence.

"To the abbess of the monastery of St. Mary Wynton thirteen shillings and four pence: to each nun, if professed, two shillings; if not, sixteen pence.

"To the warden of the college at Winchester six shillings and eight pence; to each priest two shillings; to each clerk sixteen pence; to each boy four pence; and for two pitances for the fellows and boys, twenty shillings.

"To the master of the hospital of St. Cross six shillings and eight pence: to each priest two shillings; to each clerk of the chapel sixteen pence.

"To the religious of the order of St. Austin at Wynton, of minors, of predicants, and to the Carmelites, to each twenty-six shillings and eight pence.

"To each priest, with or without cure, belonging to the city and sok, two shillings; and to each clerk of a parish twelve pence. The place where these should celebrate his exequies to be appointed by his executors.

"To the president of his college six shillings and eight pence: to each fellow, scholar, and chaplain, two shillings; to each clerk of the chapel sixteen pence; to each chorister twelve pence.

"The same to New college, Oxford.

"He bequeatheth to Joane Welby, widow of Richard Welby, a handsome silver cup and cover, gilded.

"To be distributed among the poor on the day of his burial, and on the trental of his obit, at least one hundred and sixty pounds thirteen shillings and four pence.

"His executors to cause five thousand masses in honour of the five wounds of Christ, and the five joys of the Virgin Mary, to be celebrated on the day of his burial, the trental of his obit, and other days, as soon possible, for his soul, and the souls of his parents and friends.

"A distribution of money to be made among his domestics according to the codicil.

"All his manors, lands, and tenements, not belonging to his church, but obtained otherwise, to be given by his feoffees, and applied entirely to the perpetual use of his college; the manor of Sparshold only excepted.

"He beseeches his executors, and requires them in the bowels of Christ, to consider favourably the necessity of his college, and to relieve it from his effects according their ability.

"He appoints John Catesby justice of the King's Bench, master William Gyfford rector of Cheryton, Mychael Cleves doctor of decrees, master John Nele, master Stephen Tyler rector of Alverstoke, master William Holden rector of Drokynfford, and Richard Burton of Tanton, his executors. To the first he bequeaths, in recompense of his trouble, twenty-six pounds thirteen shillings and four pence; to the others, each thirteen pounds six shillings and eight pence.

"He directs the residue of his goods to be disposed of by his executors, with the consent of the majority, among the poor; in pious and devout uses; and, especially, in aid of the necessities of his college; in masses and in alms-deeds for the salvation

of his soul, and of the souls of his parents and friends.

"The codicil comprises his chaplains, officers, and servants of every denomination, in all one hundred and twenty-five persons; and the amount of his bequests to them is considerable.

"This year, (1486,) which was the last of his life, affords an instance of his attention to merit, and of his dispensing with his statutes to reward it. He had noticed, when at his college, the good and virtuous disposition of a chaplain who had been long there, and was of a country and diocese from which scholars could not be chosen. In obedience to a letter from him, Hewster was admitted at the ensuing election to a year of probation, and on the same day to be perpetual fellow.

"Cardinal Beaufort, with licence from king Henry, and with consent of the master and warden of the hospital of St. Cross, at Sparkford near Winchester, and of the brethren and other persons concerned, had engrafted on the foundation there, not long before his death, a new eleemosynary institution, to the honour of God, and of the glorious Virgin his mother, and for the salvation of his own soul. It was an alms-house of *noble poverty*, within the precinct of the hospital, designed for two presbyters, thirty-five brethren, and three sisters, to be for ever under the government of the master. He had provided a suitable endowment for the perpetual maintenance of his obarity; and by his statutes had enjoined certain devotions and observances for the health of his soul. He had besides granted to the master and brethren various possessions, rents, and temporal domains, for the support of burthees, and the performance of works of piety, as covenanted for (4th. Feb. 1445) by indentures between

tween the two parties. But he had numerous enemies; and the Yorkists, when they prevailed, had been gratified with Lancastrian plunder. Waynflete had seen the revenues of the almshouse of noble poverty curtailed, we may suppose, with regret, but without being able to prevent the robbery. The accession of king Henry the Seventh favoured an examination into its circumstances; and the result is contained in an instrument dated Southwaltham the 2d of August, 1486, in the fortieth year of his consecration; setting forth, that time, and the succeeding malice of men, had entirely stripped the hospital of the secular estates annexed to it by Beaufort, which had been seized on, and were occupied by noble and powerful persons; that it was now impossible his intention could be fulfilled in the whole, and that the bishop, from compassion to his predecessor, whose piety was thus defeated, and from a sense of duty was impelled to uphold his design, so far as it could be fitly supported by the produce of some ecclesiastical benefices which remained. He decreed, therefore, that in future there should be for ever in the said almshouse two brethren, bound to say private prayers, like the old brethren, but differing in habit; and one perpetual chaplain, to be presented by the master, and admitted by the bishop of Winchester, to celebrate mass daily in person, or by deputy, with a special collect for the soul of the cardinal, and with the other prayers enjoined in the statutes. To each of the two brethren he assigned yearly seventy-three shillings and four pence; to the chaplain ten marks, to be paid by the master from the profits of the parish church of Groudale and of St. Faith near Wynton, and of other benefices, in conformity to the intention of the appropriator; and

to the master, for his trouble, four pounds. The residue of their income he directed to be reserved annually for the necessary expenses of the premises; the lodgings of the chaplain and brethren to be repaired according to the old statutes and ordinances.

"The bishop appears to have possessed a robust constitution, and to have long enjoyed almost uninterrupted health. He now fell suddenly into a grievous disease, which, in the figurative language of Dr. Budden, creeping and stealing through his limbs and marrow, got into the citadel of his heart, and so entirely overcame him as to bring on a speedy dissolution. He died on Friday the 11th of August, 1486, at four in the afternoon. His disorder, of which the account is obscure, seems to have begun in the extremities. Its inroad was gradual, and it seized on his vitals by insensible degrees, as we are told; for he was able, as is proved by his Register, to give institution to a living on the same day. The body was removed to Winchester with great funeral pomp; and, after the usual solemnity, deposited in the tomb within the chapel of St. Mary Magdalen in the cathedral, according to the directions in his will.

"In the Account-book of the year a payment is entered, for three carts which conveyed to the college servants belonging to the president, and for the carriage of divers things from Waltham. Among the articles then removed were probably the mitre, cross, and pontifical habit of the founder; which were repositied as memorials of him in the treasury. At his exequies performed in the college were expended three pounds six shillings and eleven pence halfpenny; and on the funeral three pounds eight shillings and seven pence. On his obit, the chapel,

we may suppose, was dressed in suitable hangings, and all the sad solemnity observed which is usual in the Roman catholic worship on such occasions. A charge is extant for green wax for the making of flowers round the candles. A distribution of forty shillings yearly, on his anniversary, was decreed by the president and senior fellows. We find the executors busied in settling their concerns with the college. Fees were given to counsel for advice, and Dr. Mayew attended parliament on the business of the society.

"It has been observed, that three prelates in succession held the same bishopric an hundred and nineteen years, the time between the consecration of Wykeham and the death of Wainfleet. The last had it thirty-eight years and twelve days, (one year less than Wykeham, and three than Beaufort,) according to Budden, who computes from his installation, which was on the 30th of August 1448; or thirty-nine years, if we follow Godwin. He was elected, we have seen, on the 15th of April 1447, and consecrated on the 13th of July following. The see continued vacant until the 29th of January 1487, when Courtney bishop of Exeter was translated to it by a bulle of Pope Innocent.

"I have met with no accusation of, or reflection on, Wainfleet, which

I have not produced into open view. Humane and benevolent in an uncommon degree, he appears to have had no enemies but from party, and to have disarmed even those of their malice. His devotion was fervent without hypocrisy: his bounty unlimited except by his income. As a bishop, he was a kind father revered by his children: as a founder, he was magnificent and munificent. He was ever intent on alleviating distress and misery. He dispensed largely by his almoner to the poor. He enfranchised several of his vassals from the legal bondage to which they were consigned by the feudal system. He abounded in works of charity and mercy. Amiable and affable in his whole deportment, he was as generally beloved as respected. The prudence, fidelity, and innocence, which preserved him when tossed about on the variable waves of inconstant fortune, during the long and mighty tempest of the civil war, was justly a subject of wonder to his biographer, Dr. Budden. It is remarkable, that he conciliated the favour of successive sovereigns of opposite principles and characters; and that, as this author tells us, the kings his benefactors were, by his address in conferring obligations on them in his turn, converted from being his creditors into his debtors.

## GENERAL VIEW OF THE LIFE OF THE LATE BISHOP OF LONDON.

[FROM HIS LIFE BY THE REV. R. HODGSON.]

**D**R. Beilby Porteus, late Bishop of London, was the youngest but one of nineteen children, and was born at York on the 6th of May 1731. His father and mother were natives of Virginia, in

North America. They were both descended from good families, and, during their residence in that colony, were on a footing with its principal inhabitants, to many of whom they were allied. His father was



of no profession; but, being born to what in that country was considered as an independent fortune, lived upon his own estate. It consisted chiefly of plantations of tobacco; and on one of these, called New-bottle (from a village of that name near Edinburgh, once belonging to his family, but now in possession of the Marquis of Lothian), he usually resided. The house stood upon a rising ground, with a gradual descent to York river, which was there at least two miles over; and here he enjoyed within himself every comfort and convenience that a man of moderate wishes could desire; living without the burthen of taxes, and possessing, under the powerful protection of this kingdom, peace, plenty, and security. The Bishop had a singular picture, which, though not in the best style of colouring, was yet thought valuable by Sir Joshua Reynolds, as a specimen of the extent which the art of painting had reached at that time in America; and he himself very highly prized it, as exhibiting a faithful and interesting representation of his father's residence.

"His mother's name was Jennings. She was said to be distantly related to Sarah Jennings, the wife of John, Duke of Marlborough; and two of her ancestors, Sir Edmund and Sir Jonathan Jennings, lived at Ripon in Yorkshire, for which place, it appears, they were both representatives in Parliament in the reign of James the Second. Her father, Colonel Jennings, was Sir Edmund's son, and the first of the family who settled in Virginia, where he was Superintendent of Indian affairs for that province; became afterwards one of the Supreme Council; and for some time acted as Deputy Governor of the Colony.

"The principal reason which induced the Bishop's father to quit a

situation so perfectly independent and comfortable, as that he had in America, was the desire of procuring for his children better instruction than he could there obtain. His health besides had been much impaired by the climate; and these causes combined, determined him at length to leave the country, and remove to England, which he accordingly did in 1720, and fixed himself in the city of York.

"In one respect, however, and that an important one, this change in his situation was attended with considerable inconvenience; for, whilst his expenses every year increased, his revenue diminished almost in the same proportion; and either by the negligence or dishonesty of his agents, he received little more than a fourth part of what ought to have been his real income. But still, even with such contracted means, he accomplished the object nearest to his heart, that of giving his children an excellent education; and certainly, in the instance at least of the subject of these memoirs, his kindness was repaid beyond his most sanguine expectations.

"After having been for several years at a small school at York, Mr. Porteus, then at the age of thirteen, was placed at Ripon, under the care of Mr. Hyde, an upright, sensible, judicious man, of whose attention he ever entertained a grateful remembrance; and from him, at an earlier age than is now usually the case, he was sent to Cambridge, where, by the recommendation and under the immediate superintendence of his elder brother, Mr. Robert Porteus, he was admitted a sizar at Christ's College, of which Dr. Hooker was at that time master, and the only person whom he then knew in the University.

"His attention, while he conti-

studied under-graduate, was directed chiefly to mathematical studies; and in these he gave the best proof of industry and ability, by the situation he obtained of tenth wrangler amongst the honorary degrees of his year. After having taken his Bachelor of Arts degree in 1752, he became a candidate for one of the gold medals, instituted not long before by His Grace the Duke of Newcastle, on his election to the chancellorship, as the reward of eminence in classical literature: and on this, the first occasion of their being adjudged, he had the merit, after a long and severe examination, of obtaining the second; the other successful competitor being Mr. Maecres, then a student at Clare Hall, and now Cursitor Baron of the Exchequer, a man of great erudition in every department of learning; and more particularly distinguished by his uncommon depth and acuteness in the abstruser parts of analytical science.

"In the spring of the same year, Mr. Porteus was elected fellow of his college, and became a resident in Cambridge. This, as I have frequently heard him say, was one of the happiest periods of his life. By a series of unlooked for occurrences, he had been placed in a situation which of all others he most coveted; he had leisure to prosecute at his own discretion those pursuits which were best suited to his taste and disposition; and during the intervals of study he was passing his time in the society of friends whom he respected and loved.

"The happiness however which he thus experienced, was not long without alloy; for about this time he was called suddenly into Yorkshire by the death of his mother; an event which filled him with the deepest grief, and, together with a

severe cold which he caught in travelling, brought on a most serious illness, the effects of which he felt occasionally during his whole life.

"On his return to college, he found that without his knowledge, his friends had been soliciting for him the situation of Esquire Beadle, which had become vacant by the promotion of Mr. Burroughs, afterwards Sir James Burroughs, to the Headship of Caius College. It was an office but ill suited with his turn of mind, and he was at first disinclined to accept it; but in consequence of the kind exertions which had been made in his favour, and, above all, his anxiety to relieve his father from any further expense, he at last complied. He kept it however little more than two years, having determined to make up the deficiency in his income in a way more agreeable to himself, by taking private pupils. These, with his established character and acknowledged talents, were easily obtained: and, amongst others, was the late Lord Grantham, afterwards ambassador to Spain, and, for a short time, as his father had been before him, Secretary of State. He was a man of the most amiable disposition, of unblemished integrity, and a highly cultivated understanding; and his death, which happened prematurely in 1785, was generally and deeply lamented; by none however more sincerely than by his early friend and tutor, who had conceived the highest opinion of his abilities, and had lived with him for nearly thirty years on terms of mutual intimacy, confidence, and regard.

"Mr. Porteus had been long destined for the church, as well by his own deliberate choice, as the wishes of his family; and accordingly, at the age of twenty-six, he took orders, being ordained deacon at Book-

den in the year 1757 by Dr. Thomas then Bishop of Lincoln, and, not long after, priest by Archbishop Hutton at York, where he preached the ordination sermon. On his return to the University he resumed the charge of his pupils; but, amidst the cares of tuition, he found time for other pursuits, and more particularly for the exercise of his poetical talents, which were certainly of no ordinary stamp. Of this indeed he soon after gave a public proof, by obtaining Mr. Seaton's prize for the best English poem on a sacred subject. The subject fixed upon was "Death;" and it was one perhaps at that time better suited than any other to his feelings, in consequence of his father's death, which had occurred a little before. The loss of so kind a parent, whom he most sincerely loved, had very deeply afflicted him; and he was therefore well prepared to describe in the language of the heart the sad and solemn scenes of human mortality. How admirably he has done it, those who know and can feel the poem, are best able to judge. It has been long in print, and, I believe, has been uniformly considered as a very able composition. Undoubtedly, as a juvenile performance, there are few superior; for it displays a correctness of taste combined with a sublimity of thought, and a power and justness of expression, which have seldom been exhibited in the first effusions of poetry.

"In the mean time he was not inattentive to the duties of his profession, nor unmindful of the engagement into which he had entered, 'to banish and drive away all erroneous and strange doctrines contrary to God's word.' A profane and very licentious pamphlet, entitled, 'The History of the Man after God's own Heart,' was about

that time much in circulation, and had made a dangerous impression on the public mind. Its object was to strike a secret blow at revelation by ridiculing the habits, manners, and religion of the Jews, and, particularly, by representing the character of David in a most odious point of view. Mr. Porteus saw at once the fallacy and mischief of this publication; and, with the view of checking its pernicious tendency, composed and preached before the University a sermon in answer to it, in which he forcibly exposed its many errors and misrepresentations; vindicated the Mosaic Law from the charges brought against it; and gave the clearest and most satisfactory reasons for the high and popular name by which David was distinguished, namely, "The man after God's own heart." Nothing indeed can be more strictly just than the character which he has there given of the royal penitent, or more impressive than the moral application; and it is therefore no wonder, that the sermon should have been heard, as it was, with great attention at the time, and afterwards, when in print, most favourably received. It is now the fifth in his second volume of Discourses; with the omission however of some passages of a polemical nature, in order, as he has himself observed, "to render it more practical, and of course more generally useful."

"Before the appearance of this sermon, he stood high in the estimation of the University for literary attainment; but it tended undoubtedly to raise him still higher in the public opinion; and, as a proof of it, he was not long after appointed by Archbishop Secker, one of his domestic chaplains. This appointment took place early in 1762, and in the course of that summer he quitted college,

college, where he had lived most happily for the last fourteen years, to reside at Lambeth. Here he had ample leisure for his professional studies; and it was besides a singular advantage, which he did not fail to improve, to have constantly before him such a guide as the Archbishop; a man whom he well describes "as endowed with superior talents, which he had highly cultivated; of a strong and sound understanding; of extensive and profound erudition; more particularly in Hebrew literature, and every branch of theology; an admired and useful preacher; of unblemished purity of manners, unaffected piety, unbounded benevolence, and exemplary in the discharge of all his various functions; as a parochial clergyman, a bishop, and a metropolitan." "He was to me," he adds, "a most kind friend and a bountiful benefactor: but far beyond all the other benefits I derived, was that invaluable one of enjoying his conversation; of being honoured with his direction and advice; and of living under the influence of his example. These were advantages indeed; and, although I did not profit by them so much as I ought, yet to them, under Providence, I ascribe whatever little credit I have attained in the world, and the high situation I have since arrived at in the church."

"On the 13th of May, 1765, Mr. Porteus married Margaret, eldest daughter of Brian Hodgson, Esq. of Ashbourne in Derbyshire; and in the course of the same year he was presented by the Archbishop to the two small livings of Ruckling and Wittersham in Kent; which, however, he soon resigned for the rectory of Hutton, in the same county, in addition to a prebend at Peterborough, which had been given him by his grace before. Upon the death

of Dr. Bennet, in 1767, he obtained the rectory of Lambeth; and soon after this, he took his degree of Doctor in Divinity, on which occasion he preached the commencement sermon. In this discourse, which is now the eighth of his first volume, "I ventured," he says, "to recommend it to the University to pay a little more attention to the instruction of their youth, especially those designed for orders, in the principles of revealed religion. I proposed that these should have a place assigned to them among the other initiatory studies of the place; that they should have the same encouragement given to them as all the other sciences, that they should be made an indispensable branch of academical education, and have their full share of academical honours and rewards. This produced no practical effect at the time; but some years afterwards, Mr. Norris, a gentleman of fortune in Norfolk, into whose hands some extracts from this discourse happened to fall, was induced by them to found and endow a professorship at Cambridge, for the sole purpose of giving lectures to the students there in the doctrines of revealed religion, and afterwards to bequeath by his will a premium of twelve pounds per ann. to the author of the best prose essay on a sacred subject; the larger part of that sum to be expended on a gold medal, and the remainder in books."

"These, as may be well imagined, were most gratifying circumstances to Dr. Porteus, and far exceeded his expectation. At the same time, the object which he had in view, was in itself so reasonable, so evidently necessary in all Christian education, and he had enforced it in a manner so powerful and convincing, that one cannot wonder it should make on serious minds a very

deep impression, and be followed by some endeavour, either on the part of the University, or of some pious individual, to carry it into execution. The result unquestionably has been a most beneficial one; for it has not only produced some excellent prize dissertations on various important subjects, and made theology an essential part of academical instruction, but has been the means of giving to the world one of the ablest and most compendious systems of divinity, of which it is at present in possession, namely, the Lectures delivered by the first Norrisian professor, Dr. Hey. The reader will no doubt be struck with a great originality and sometimes eccentricity of illustration; but, as a work of reference, full of deep research, and accurate and extensive information, more particularly with respect to the history and doctrines of the church of England, it cannot be too strongly recommended to the biblical student.

“On the 3d of August, 1768, after a most harassing and painful illness, which he bore with the greatest fortitude, and the most profound acquiescence in the divine will, Archbishop Secker died at Lambeth, leaving his two chaplains, Dr. Stinton and Dr. Porteus, joint executors, and, amongst other directions of his will, committing to their care the revision and publication of his Lectures on the Catechism, his manuscript sermons, and other occasional writings. This trust was faithfully fulfilled: and in order to render the work more complete, as well as to pay the last tribute in his power to his deceased friend and benefactor, Dr. Porteus prefixed a “Review of the Archbishop’s Life and Character.” It is unquestionably a masterly performance, and one of the happiest specimens of biographical

composition. The character of the Archbishop is drawn with accuracy and discrimination. There are no false tints thrown in to embellish and set off the picture. It is touched with the firm hand, and in the sober colouring of truth; and the impression left on the mind is a mingled sentiment of admiration and esteem for the talents, the erudition, the mostentalibus beneficence, and the profound Christian piety, of that illustrious Prelate.

“It was not however merely by giving to the world this “review of his life,” that Dr. Porteus testified his respect and affection for the memory of his great friend. He neglected afterwards no opportunity of defending him privately or publicly. He suffered no calumny to go abroad, no unjust insinuation to be thrown out against him, without instantly stepping forward to refute and to repel it. His anxiety in this particular was unremitting and incessant. As an instance of it, I can never forget the surprise and pain and indignation, which were excited in his mind, upon reading two passages in the late Lord Orford’s works, in one of which the point of an Epigram is made to turn upon the supposition, that the Archbishop was a hypocrite; and in the other, he is expressly charged in direct unqualified terms with having been the president of an atheistical club! Such assertions as these, so disgraceful in themselves, and so utterly and grossly false, the Bishop of London, as he then was, could not suffer for a moment to pass uncontradicted. He wrote immediately to the editor, Mr. Berry, stating in the strongest terms the injustice and mischief of such flagrant misrepresentations, and offering, if the thing were possible, to have the leaves, which contained them, cancelled at his own expense.

Unfortunately,

Unfortunately, the book had got too much into circulation to render this proposal feasible: but he so far succeeded, as to obtain a direct promise from Mr. Berry, that, should the work in question ever reach a second edition, the obnoxious passages should be expunged.

The same solicitude was also very strongly marked in another instance, upon his perusing the *Life of Bishop Warburton*, by Bishop Hurd. His own words, which follow, show how quick and alive his feelings were upon this subject, at the same time that they had nothing in them of bitterness and animosity.

In this work, he says, "I found the merit of Archbishop Secker greatly underrated, as a writer, a scholar, a divine, and a critic in Hebrew. I therefore thought myself called upon, by honour and by gratitude, to vindicate my old master against these unjust and injurious attempts to lower his character; which I did, by publishing in a separate form, a new edition of the life prefixed to his works, adding at the same time a preface, and a few notes tending to confute Bishop Hurd's misrepresentations of him and his writings. Still, however, this act of justice to my great patron, never in the least diminished the high respect and veneration which I always entertained for the character of Bishop Hurd, whose piety, learning, taste, and genius, rendered him the great ornament of literature and religion, and very justly gained him, not only the esteem, but the affection, friendship, and confidence of his Sovereign, and raised him to that distinguished situation, which he filled with so much dignity, both in public life, and in an honourable retirement for so long a course of years."

After Archbishop Secker's death,

Dr. Porteus devoted his entire attention to the care of his two benefices, Hunton and Lambeth. Till his parsonage at the former place was ready for his reception, he resided at a small neat cottage in the village of Linton, which was near enough to enable him to perform with ease his parochial duties, superintend the repairs, and make such alterations as the great capability of the situation suggested to his mind. He had found the premises at first in a very ruinous and neglected state, no rector having lived there for above thirty years: but he saw at one glance the natural beauties of the place, and that it required only a little skill and taste to display them to advantage. This was gradually and at some expense completely effected. A new room was afterwards added to the house; and, by ornamenting the grounds about it, and letting in the rich luxuriant prospect, which it commanded on every side, he made it at last a most comfortable and delightful residence. Every thing indeed conspired to attach him strongly to Hunton. "It was to me," he says, with all that animation which was so peculiar to him, "a little terrestrial paradise; for though there are many parsonages larger, handsomer, and more commodious, yet in comfort, warmth, repose, tranquillity, and cheerfulness, in variety of walks, shelter, shade, and sunshine, in perfectly rural and picturesque scenery, I know few superior to it. What however is of more importance, no place was ever better calculated to excite and cherish devout and pious sentiments towards the great Creator and Preserver of the universe. The solemn silence of the thicket and the grove, the extensive horizon that opened to the view, the glories of the rising and the setting sun, the splendor of

a moon-

a moon-light and a starry sky, all which presented themselves to the eye, to a vast extent without interruption, from the lawn before the house; these, and a variety of other sublime and pleasing objects, could not fail to soothe and tranquillize and elevate the soul, and raise it up to high and heavenly contemplations. But it was not the charms of the country only, which formed the delight of Hutton. The neighbourhood was excellent, consisting principally of ancient and long established families, who lived on their own estates in that decent hospitality, and that judicious mixture of society and retirement, which constitute the true felicity of human life, and which so remarkably and so fortunately distinguish the scenery and nobility of England from almost all other countries in Europe. The greater part of them too were not only polished in their manners, but of exemplary piety, probity, and benevolence.

"Much however as he enjoyed such a retreat and such friends as these, it never withdrew his thoughts from more serious and more important pursuits. He discharged with zeal the duties of his parish; preached almost always in the morning; in the afternoon very frequently lectured on the catechism; and lost no opportunity, when he saw fit occasion, of private admonition. In his attention to the poor, he was uniform and indefatigable; he visited the sick, comforted the afflicted; relieved the indigent: he entered, in short, with assiduity and earnestness, into whatever could promote in any degree their temporal and eternal welfare, and he did not labour in vain. "I had the happiness," he says, "to see my church well filled with a congrega-

tion, cheerful and satisfied, both serious in their devotions, and attentive and grateful to their instructor."

"In the winter months he resided at Lambeth, where, not less than in the country, he supported the high character of a faithful, laborious, conscientious parish priest. Unfortunately, there was here no parsonage in which the rector could reside: but as there was a piece of ground of about two acres, belonging to the glebe, in an extremely good situation, and at a convenient distance from the church, he thought that by obtaining an act of parliament for that purpose, a part of this might be sold, and with the sum which that produced, a fit and commodious residence might be built upon the remainder. Accordingly, an agreement upon this principle was made with a builder at a stipulated price, and a ground-plan and elevation of the intended house were drawn under his own direction. He was not however incumbent long enough to carry himself this design into execution; but he had made such excellent arrangements, that his successor, Dr. Vyse, had no difficulty in accomplishing it; and the present parsonage, than which there are few better, was, with little variation, built upon the original plan proposed by Dr. Porteus.

"Besides the active part which he thus took in regard to the rectorial house, he found that the affairs of the parish had fallen, from some neglect or mismanagement, into great confusion, in consequence of debts inadvertently contracted by the overseers. This was not a creditable circumstance; and, in conjunction therefore with the parish officers, and the principal gentlemen then resident in Lambeth, he took great pains to reduce them into order. With this view, the sum of

eighteen hundred pounds was borrowed upon annuities, with which they not only cleared off old incumbrances, but had a considerable surplus left, which was very judiciously expended in repairing and embellishing the church, and in other essential improvements. There was nothing indeed that tended in any degree to the credit and benefit of the parish, which escaped his attention; but that especially which occupied his thoughts, and to which his chief anxiety was earnestly directed, was the salvation of those committed to his care. This was his great, his never-ceasing object; and there cannot be a stronger instance of it, than the letter which he addressed to them, on the more religious observance of Good Friday. In this excellent little tract, which has long been in the catalogue of the Society for promoting Christian Knowledge, after lamenting the neglect, which then universally prevailed, of that sacred day, he took occasion to state the various benefits, which it was intended to commemorate; the importance of them to the welfare of mankind; the unbounded compassion in which they originated; and the unparalleled sufferings by which they were accomplished: and from hence he inferred the indispensable obligation, under which a Christian lies, from every motive of interest, of duty, and of gratitude, to observe with peculiar strictness and devotion the anniversary of the Crucifixion; a day, which recalls forcibly to the mind the stupendous doctrine of atonement; for which our church has wisely provided a most solemn service, and which is calculated more than any other to lay us low before the throne of God in penitential humiliation, and to fill the soul with thankfulness and love. All

these points he touched upon in so strong, so impressive, and so affectionate a manner, as could not fail to have the happiest effect. It was indeed even greater than he had reason to expect; for, not only a more devout observance of Good Friday produced in his own parish, but, as he has himself observed, 'on the very next return of that day, the shops were all shut up, the churches were crowded, and the utmost seriousness and decorum took place, throughout the cities of London and Westminster, and their environs.'

"In the year 1769, he had the honour of being appointed chaplain to his Majesty, and soon after he obtained the mastership of the Hospital of St. Cross, near Winchester. This piece of preferment had been selected by Archbishop Secker, as one of his options, and the presentation to it, when it became vacant, was left to the discretion of certain trustees, to whom he gave authority for that purpose. The two persons, who were considered, on mature deliberation, as having the strongest claims, were his grace's chaplains at the time of his decease; and it was determined that Dr. Porteus should have the mastership, and that he should resign his prebend of Peterborough to Dr. Stinton. In consequence of this arrangement, he for some years afterwards resided occasionally at St. Cross. The place had nothing very striking to recommend it, especially after the beautiful scenery which he had in such perfection at Hunton: but there was yet a stillness about it, which pleased him. The neighbourhood afforded excellent society; and he had the satisfaction of improving in some degree the condition of the poor brethren in the hospital, by adding a small increase of salary to each.

"About



About this time a circumstance occurred, which then excited considerable interest, and in which the part that Dr. Porteus took has been much misinterpreted and misunderstood. The following statement, in his own words, will place the fact in its true point of view. "At the close of the year 1771, and the beginning of the next, an attempt was made, by myself and a few other clergymen, among whom were Mr. Francis Wollaston, Dr. Percy, now Bishop of Dromore, and Dr. Yorke, now Bishop of Ely, to induce the Bishops to promote a review of the Liturgy and Articles, in order to amend in both; but particularly in the latter, those parts which all reasonable persons agreed stood in need of amendment. This plan was not in the smallest degree connected with the petitioners at the Feathers Tavern, but, on the contrary, was meant to counteract that, and all similar extravagant projects, to strengthen and confirm our ecclesiastical establishment; to repel the attacks which were at that time continually made upon it by its avowed enemies; to render the 17th article on Predestination and Election more clear and perspicuous, and less liable to be wrested by our adversaries to a Calvinistic sense, which has been so unjustly affixed to it; to improve true Christian piety amongst those of our own communion, and to diminish schism and separation, by bringing over to the national church all the moderate and well-disposed of other persuasions. On these grounds, we applied in a private and respectful manner to Archbishop Cornwallis, requesting him to signify our wishes (which we conceived to be the wishes of a very large proportion both of the clergy and the laity) to the rest of the Bishops, that every thing might be

done, which could be prudently and safely done; and promote those important and salutary purposes."

"The answer given by the Archbishop, Feb. 11, 1773, was in these words: 'I have consulted severally my brethren, the Bishops, and it is the opinion of the bench in general, that nothing can in prudence be done in the matter that has been submitted to our consideration.'"

"There can be no question that this decision, viewed in all its bearings, was right; and Dr. Porteus, and those with whom he acted, entirely acquiesced in it. They had done their duty in submitting to the bench such alterations as appeared to them to be conducive to the credit and the interest of the church of England, and of religion in general, and their manner of doing it was most temperate and respectful. At the same time, as it appears to me, the proposal was rejected on very satisfactory and sufficient grounds. That in our established liturgy there are some redundancies which might be spared, and some changes which might be made with advantage, few will be disposed to deny. That in the Articles also, a clearer and more intelligible mode of expression might in parts be introduced, and some passages amended, or expunged, which give a colour to false interpretation, may equally be conceded. But the main point to be considered is, whether, however desirable it may be to remove all possible ground of separation and schism, such alterations as these suggested, or even any at all, would produce that effect. It has been said by an eminent divine, that "it is not in the wit or in the power of man to prevent diversity of opinion, since this is the unavoidable result of human imperfection and human liberty; and is not to be removed, unless by the

more light or less agency." Suppose then the Liturgy and Articles to undergo a revision; would the consequence be an union of sentiment? What one approved, there would be still another to condemn; and even amongst the moderate and well-disposed of other persuasions, "I fear the church, with all her concessions, would gain few converts. It is always dangerous to innovate, more so in things connected with religion than in any other; and after all, is there any absolute need of change?" "Two men," says Dr. Hey, "who were at the head of the Reformation, were men of the first ability. As scholars, we are mere children to them. They were conversant in Scripture to a degree, of which few now have any conception: Ecclesiastical history lay open before them. Yet they were not mere scholars, nor monks, nor monkish men; but skilled in government, knowing men and manners, liberal in behaviour, free from all fanaticism, full of probity, yet guided in their measures by prudence. None then could be chosen more likely to frame a good set of forms and articles. They would fall short of nothing attainable, through indolence or cowardice. They would set down nothing carelessly, on the presumption of its passing unexamined. They would overshoot nothing, in the hope of catching a few. They had, in short, nothing for it, but to fix on that which right reason and good feelings would embrace." Surely then in the labours of these illustrious men we may contentedly acquiesce. They were the result of fervent piety, profound learning, consummate prudence, long, anxious, and patient deliberation: and I should therefore think any change impetuous and unwise, which was not demanded by a strong necessity,

and justified by the clear and certain prospect of some decisive advantage. The period had now arrived, when Dr. Porteus was to be called to that high station in the church, to which his character and talents so well entitled him, and which he afterwards filled with so much credit to himself, and so much advantage to his country. On the 20th of December 1776, he kissed the King's hand on his promotion to the see of Chester; a performance on his own part perfectly unobtruded, and so entirely unlooked for, that, till a short time before it happened, he had not the smallest expectation of it. In consequence of this accession of dignity, which was conferred in the most flattering and gracious manner, he resigned the living of Lambeth, though he had permission to retain it: but he thought that with so many additional cares he should not be able to attend to so large a benefice; at least to the satisfaction of his own mind; and he therefore hesitated not a moment in giving it up into other hands. It was a resolution founded only on a strong sense of duty; for it was with feelings of sincere and painful regret that he discontinued his pastoral connexion with a parish, where he had lived with many on terms of friendly intercourse, and in which he had so much reason to hope, that he had not laboured in vain. But the affairs of a large diocese now demanded his attention, and to these he determined to sacrifice every other consideration.

"From various causes, it was not till the 4th of July 1777, that he went to Chester, where he lost no time in entering with zeal and ardour into the functions of his office. As soon as circumstances would permit, he conferred in several places, and

and in the summer of the year following held his primary visitation. The charge which he delivered to his clergy on that occasion was printed at their request, and is now for the first time added to his works. Why it was omitted in the volume of tracts, which he afterwards published, I am unable to say. It is undoubtedly a performance of great merit, and should not be suffered to sink into oblivion. The reader will find in it the main outlines of the clerical character very ably drawn. The education which a clergyman should receive; the peculiar studies which he should afterwards prosecute; the dignity and importance of the ministry; the various duties, exclusively of the more stated discharge of the offices of the church, which are inseparably attached to it; the advantages of personal residence upon his cure; more especially the indispensable necessity of example, to give weight and efficacy to his instruction; all these considerations are urged with force and impression: and, amongst other points, the following remarks upon a subject deeply involving the respectability of our order, cannot be too widely diffused. "Under the appearance," says the Bishop, "give me leave to mention the article of dress, in which I have observed with concern, that some of the younger clergy in several parts of the kingdom (I mean not particularly in this) have been gradually departing from that gravity and sobriety, which the nature of their profession, as well as the injunctions of the church, require. We are distinguished from all other persons by a peculiar habit, and instead of being ashamed, we ought rather to be proud of it, as a badge of that high and honourable calling to which we have been admitted. If, from a childish passion for show, we

endeavour to drop this distinction as much as possible, and to appear as little like, clergymen, as with any decency we can; instead of procuring us admiration and respect, it will only expose us to contempt."

"Towards the conclusion of this year, 1778, the Bishop had an opportunity of very highly gratifying his own feelings, by being enabled to relieve the distress of a poor clergyman in his diocese, whose situation and circumstances were made known to him in the following letter.

"MY LORD,

"Impelled by a gloomy fit of reflection (and many I have, God knows) on my condition, I prostrate myself at your feet, imploring in the humblest manner compassion and regard. If distress has eloquence, and may be permitted to plead, I have, alas! but too powerful an advocate in my favour.

"I am, my Lord, the Curate of Wood Plumpton, near Preston, where I have served, as such, for about forty-two years successively, and led what an obscure contemplative life. I am now in the sixty-seventh year of my age, and have brought up six sons and six daughters to men's and women's estate, and am grandfather to twenty-seven children. All my annual income is only something more than forty pounds. I had a small tenement here that came by my wife, but as I had contracted small debts since after time, in so long a series of family occasions, have sold it to discharge those engagements; so that my bare salary is all that I now enjoy for the support of myself and family: and such is the indigence I am reduced to at present, that were it not for religious prospects, I should be wretched beyond the utmost

most energy of language to express. Although poverty and old age together be but a mortifying fate, yet as to any personal misery, I hope I could defy it to touch me with impatience. But, oh! my Lord, the thing that enervates all my fortitude, and cuts me to the heart, is, to see my poor family in want, and to be a spectator of their misery, without the power of relief!

"As you may have the direction of some charities, be pleased to use your influence in the case of

"Your Lordship's

"Faithful servant,

"MATHEW WORTHINGTON."

It will easily be imagined, that a letter such as this, written with all the pathetic eloquence of undissimulated distress, could not fail to make a strong impression on a feeling mind. The Bishop was exceedingly struck by it; and with the assistance of the Chancellor, Dr. Pepploe, immediately opened a subscription, towards which he contributed largely himself, as a temporary relief: soon after which, the living of Childwell, a vicarage in his gift, becoming vacant by resignation, he immediately presented it to Mr. Worthington. I have related this occurrence, not only because it is in itself an extremely interesting one; but as it marks a very conspicuous feature in the Bishop's character; namely, the eagerness with which his mind always seized a benevolent object. It was not a mere complaisance with judgment: it was not a frigid, dilatory, reluctant charity, extorted by the occasion. On the contrary, I never yet saw any one, who appeared to me to possess, in a more exalted degree, the true spirit of beneficence. It came warmer from the heart, unobscured by cold calcu-

lation; whilst the good he did became doubly valuable by his manner of doing it.

"The time had now arrived, when the Bishop of Chester was destined to fill a still more distinguished situation in the English church. The high character he had long maintained; his zeal, his activity, his judgment, his powers of usefulness in every branch of his profession, and all these illustrated and adorned by a most unblemished life, and the most conciliating and attracting manners; naturally marked him out as a person eminently qualified to supply the vacancy which had for some time been expected in the see of London. Accordingly, the very next day after the death of Dr. Lowth, which took place at the Palace at Fetham, the 3d of November, 1787, the Bishop, who was then at Hunton, received by a king's messenger the following letter from Mr. Pitt.

"MY LORD,

"In consequence of the death of the Bishop of London, which took place yesterday, I lost no time in making it my humble recommendation to his Majesty, that your Lordship might be appointed to succeed him. I have this moment received his Majesty's answer, expressing his entire approbation of the proposal, and authorizing me to acquaint your Lordship with his gracious intentions. I have peculiar satisfaction in executing this commission, and in the opportunity of expressing the sentiments of high respect and esteem with which I have the honour to be, my Lord,

"Your Lordship's most obedient,  
and most humble servant,

"W. PITT."

"This important communication, made in such flattering and gracious terms,

terms, was most gratifying to the Bishop's feelings; but yet the high station to which he was raised, did not for a moment carry his thoughts from the great and only Disposer of all earthly good. Much as he felt the honour conferred upon him by his Sovereign, he looked beyond this world, up to Him, who is the King of kings; for, subjoined to a copy of the preceding letter, were written in his own hand the following words: "I acknowledge the goodness of a kind Providence, and am fully sensible that nothing but this could have placed me in a situation so infinitely transcending my expectations and deserts."

"This appointment, like all that he had before filled, was on his own part perfectly unsought for and unsolicited. So far indeed from being desirous of a change of station, he had, on the contrary, many substantial reasons for wishing to retain the Bishoprick of Chester. During his residence in that city, the attention he had uniformly shewed to all ranks of people, the ease and affability of his whole deportment; his kindness to all who needed his assistance; the warm interest he took in the affairs of his clergy; his endeavours to promote in every way the cause of religion, and the good of those committed to his charge; all this had placed him high in public estimation, and rendered him in every part of his diocese respected and beloved. It was not therefore without much regret, and a hard struggle with his own feelings, that he quitted a situation to which he was most sincerely attached, to enter upon another, where the duties were more burdensome, and the responsibility greatly increased.

"In addition to this, he was under the necessity, by accepting the see of London, of giving up his hy-

ing at *Hutton*; that calm, delightful retreat, where he had spent many years of happiness, and which, I am persuaded, no accession of dignity, no increase of revenue, would have ever induced him to resign; had it not been for the high and honourable principle, which in all circumstances governed him through life—the relinquishment of private enjoyment for the sake of public usefulness. To those who knew him well, as it was my privilege to do, it is superfluous to say, that he quitted this favourite residence with infinite regret. His own words will best express what he felt upon the occasion.

"When I took my leave of *Hutton* early in the morning, and cast a parting look on the rich vale below (the sun shining gloriously upon it, and lighting up all the beauties of that enchanting scenery, my heart sunk within me; and as I went slowly up the hill, I could not forbear repeating and applying to myself those exquisite lines of the *Minstrel*,

O! how canst thou renounce the boundless  
Of charms, which Nature to her votaries  
Yields;

The warbling woodlark, the rebooming hare,  
The prance of graces, and gambours of fields;  
All that the genial ray of morning glows  
And all that echoes to the song of birds;  
All that the mountain's clustering bowels  
shields;  
And all the dread magnificence of Heaven;  
O! how canst thou renounce, and hope to be  
forgiven?

"It was indeed a long time before I could forgive myself. But various circumstances rendered this sacrifice necessary; and by degrees custom reconciled me to a course very different from that to which I had been so long accustomed; and which it cost me no small pain to renounce.

"Early

Early in 1800, his long and memorable contest with a clergyman in his diocese was brought to a conclusion by the latter suffering judgment to go by default, and the consequent forfeiture to the crown of a valuable living in Essex. The question thus terminated was of great importance to the church of England, as it was the means of putting an effectual stop to a species of Simony at that time gaining ground; namely, purchasing the advowson of a living, and then taking a lease of the tithes, glebe, house, &c. for ninety-nine years, at a pepper-corn rent, and entering into immediate possession of the premises, and all the profits, just as if there had been an immediate resignation. It is evident, that a practice such as this was subversive of the proper exercise of ecclesiastical discipline, by virtually taking from the ordinary the power, which by law he has, of rejecting the proffered resignation of a benefice, under a suspicion of Simony. The Bishop therefore had long determined, whenever the living in question should become vacant by the demise of the incumbent, to refuse institution on the abovementioned ground; and when the time arrived, he adhered inflexibly to his purpose, and tried the question. In doing this, he was well aware that he was bringing upon himself much trouble, and no slight expense; but such considerations had no weight upon his mind; nor was he tempted by any solicitations, though very strong ones were made, to change his resolution. Amongst others, he received a formal application from the Lord Lieutenant, and nearly the whole magistracy of the county of Essex; but though he concurred with them in giving full credit to the gentleman, in whose favour they had interested themselves, for his

agricultural exertions, and his great activity as a county magistrate, he yet declared unequivocally in his answer, that he could not on that account connive at a simoniacal contract; a contract, of which he had in his possession the clearest proof, which he considered as pregnant with the worst consequences to the established church; and which therefore he felt himself called upon, in his episcopal character, firmly to resist.

"The same paramount principle of public duty had induced him, some time before, to withhold his assent to an appointment by the East India Company to a chaplaincy, in Bengal. As the transaction alluded to was in its consequences of great importance, and was so considered by the Bishop, I shall give the account of it in his own words.

"The charter of the East India Company requires, that the chaplains, whom they shall appoint, shall be approved by the Archbishop of Canterbury, or the Bishop of London. The clergyman therefore elected on this occasion applied to me for my approbation: but as I had been informed, upon unquestionable authority, that he was a very improper person for the situation, I peremptorily refused to confirm the appointment. This produced much clamour, violence, and obloquy from him and his friends; and amongst other things I was threatened with a mandamus from the court of King's Bench. But I stood my ground, and carried my point. I was also strongly urged and called upon to assign my reasons for the opposition I had made to him; but I refused to give any, except that *I thought him an unfit person for the place*: conceiving the power given me by the charter to be perfectly discretionary. By this resistance, and the final, though reluctant,

jectant, acquiescence of the East India Company, the right of the Archbishop of Canterbury and the Bishop of London to refuse their assent without assigning a reason, is fully established; and it is on this account that I leave the transaction on record, for the information of my successors in the see of London, it being a matter of the utmost importance to the interests of religion in our East India settlements." To this I am enabled to add, that since this opposition, which marks in a strong point of view the Bishop's firmness of mind, in a matter which nothing but spirit and energy could have accomplished, the Company have been much more careful in recommending clergymen of approved principles and morals, than they had formerly been. Some of the Directors in particular have paid much to their honour, peculiar attention to this subject; and there can indeed be no question, that it is of the utmost moment, in a country like India, where there is no general ecclesiastical establishment, that the services of the church should at least be performed by men deeply impressed with the dignity of their sacred function, and able and zealous in the discharge of its duties.

"In the winter of the year 1805, the Bishop, with that unceasing attention which he paid, in every thing, to the great concerns of religion, took considerable pains to suppress a custom, which he justly considered, in common with many others, as a most glaring violation of public decency, and which was evidently gaining ground in the fashionable world; namely, that of Sunday concerts at private houses by professional performers, at which large numbers were assembled, and much disturbance created on the evening of that sacred day. This

was a profanation, which, in his high responsible station, as diocesan of the metropolis, it was his duty, if possible, to prevent; and accordingly with this view he separately addressed the following letter to three ladies of high rank in society, who, by opening their houses for these musical exhibitions, had contributed principally to their introduction.

"Although I have not the honour of being personally known to your Ladyship, you will, I hope, allow me to take up a few moments of your time on a subject which appears to me of the highest importance to the interests of religion, more especially in this great metropolis, of which Providence has been pleased to constitute me the spiritual guardian and superintendent.

"Your Ladyship, if I am not misinformed, is one among other ladies of high rank and distinction in this town, who are in the habit of having concerts at their own houses on Sunday evenings, where there are hired professional performers, and a large number of persons of fashion assemble together to partake of the entertainment. It is very possible your Ladyship may be of opinion, that there is no kind of impropriety in this sort of amusement on the evening of the Sunday, after the service of the day is over, and the sacred duties of it are fulfilled. But a little consideration will, I am persuaded, convince you that this is a very unfortunate mistake. This practice is a direct violation of the express injunction of God himself: it is an infringement of that rest, which in the fourth commandment we are enjoined to observe on the Sabbath; of that respite from toil and labour of every kind, which we are directed to give

to our servants, and our cattle, throughout the whole of this sacred day. Besides this, it evidently tends to efface, or at least to weaken greatly, those useful impressions which may have been made upon our minds, and upon those of our children and servants, in the offices of public worship, or in our private meditations and devotions; and it mingles too much of the gaieties and the pleasures of this world with these serious thoughts of another, which this day was peculiarly intended to excite and to cherish in our hearts.

"Allow me also to add, Madam, that the laws of this kingdom expressly prohibit all public diversions on the Lord's Day; and I entreat your Ladyship to consider, whether the Sunday evening concerts do not in every respect resemble a public diversion, except that they are given in a private house, instead of a theatre, or an opera-house. This does not escape the observation of the lower orders of the people, who, when they see the crowded doors and splendid assemblies of the wealthy and the great on the Lord's Day, are apt to express (as I happen to know from good information) much dissatisfaction and much discontent at the glaring difference.

"I am aware, that in Roman Catholic countries on the Continent, both public and private amusements are permitted on the Sunday evening. But your Ladyship will, I am sure, agree with me in thinking, that is not exactly the precedent which a Protestant country ought to follow. In fact, it is well known, that for a long course of years the Church of England has been distinguished from the Church of Rome, not only by its doctrine, its discipline, and its purer mode of worship, but also by the decency, the

propriety, the solemnity, with which the Christian Sabbath has been usually observed. It is a distinction, Madam, which does our honour; which is altogether worthy of the first Protestant Church in the world; and it is of the very last importance, that we should always preserve inviolate this glorious pre-eminence amongst the nations of Europe. It is my decided opinion, that on the due observance of the Lord's Day, according to the ancient and venerable usage of our ancestors, depends in a great measure the very existence of Christianity in this kingdom.

"When we look around us in this immense capital, and observe how every day of the week, and almost every hour of the day, is occupied with one scene of gaiety or other, one would imagine there could be no very pressing necessity for intruding on the repose of the Sabbath; one would think, that six days out of the seven would be sufficient for the purposes of amusement, and that one day of rest and tranquillity in the week would be to all persons a welcome Sabbath, a desirable pause, a relief from the incessant toil of diversion and of pleasure.

"But let me not, Madam, be misunderstood: I am no friend to a pharisaical or puritanical observance of the Lord's Day. I do not contend, that it should be either to the poor, or to the rich, or to any other human being whatever, a day of gloom and melancholy, a day of superstitious rigour, a day of absolute exclusion from all society. No, it is on the contrary a festival, a joyful festival, to which we ought always to look forward with delight, and enjoy with a thankful and a grateful heart. It is only to those amusements, which partake of the nature and complexion of public di-

versions



sessions on the Lord's Day, that I object; to large assemblies, for instance, and large concerts consisting of hired performers, where numerous parties are collected together, occasioning a great concourse of servants in one place, employing them at a time when they have a right to ease and rest, and producing much of that noise and tumult in the public streets, which are so opposite to the peaceful tranquillity that should prevail on that day—a day which the Almighty himself has distinguished with a peculiar mark of sanctity, and which he claims as his own. It is against these open infractions of the Lord's Day that I think it my duty to remonstrate. But in bearing sacred music on the Sunday evening, confined to a small domestic circle of relations and friends, without any hired performers, I am so far from seeing any impropriety, that it appears to me a relaxation well suited to the nature of a Christian Sabbath, perfectly congenial to the spirit of our religion, and calculated to raise our minds to heavenly thoughts, and sublime and holy contemplations.

“Your Ladyship will, I hope, do me the justice to believe, that, in addressing these lines to you, I meant not to intrude myself needlessly on your notice, much less to give you the slightest offence; but merely to discharge a very important duty resulting from that most responsible situation, in which it has pleased God to place me. And I cannot help flattering myself, that when your Ladyship reflects a little on the arguments I have offered to your consideration, you will see reason to relinquish (and even recommend it

to your friends to relinquish) a practice, which you probably took up from mere want of attention to the subject, and from not being aware of the mischievous consequences resulting from it.

“Should you come to this determination, I have no hesitation in saying, that you will add greatly to that respect, which is so justly due to your high rank and station; you will do a most essential service to the holy religion we profess; and you will store up a reflection in your own mind, which will afford you the most substantial comfort and support, at a moment, when all the splendour and gaiety of the world will fade before your eyes, and vanish into nothing.”

“Upon this admirable letter it would be superfluous to make a single comment. So much rational yet fervent piety; so much earnestness in the cause of virtue; so much anxiety to promote the best interests of man, could hardly plead in vain, and it did not. His accepted assurances, that the practice, of which he complained, should, if not immediately, at all events the following year, be discontinued; and I feel persuaded, that a promise thus solemnly made, and hitherto observed, will not be forgotten. “Though dead, he yet speaketh,” and it is in the hope, that the sentiments he expressed on this occasion may still operate as a powerful check on the licentiousness of public manners, and be the means of fixing on the minds of many, serious and religious impressions, that I have thought it my duty to leave his letters on record.”

MEMOIRS OF ARTHUR MURPHY, Esq. WRITTEN BY HIMSELF.

[FROM MR. FOOT'S LIST OF MR. MURPHY.]

**R**ICHARD MURPHY, a merchant in the city of Dublin, was this writer's father, by Jane French; who was married to him in 1723. She was one of the daughters of Arthur French, of Cloniquin, in the county of Roscommon, and of Tyrone, in the county of Galway; her offspring were two daughters, who died young, and three sons, James, Arthur, and Richard. The first died in his infancy; James was born at my father's house on George's Quay, in the city of Dublin, September 1725; of the present writer, a memorandum in his mother's Prayer Book says, he was born on the 29th of December 1727, at Cloniquin, then the house of her eldest brother Arthur French. Richard Murphy his father sailed in one of his own trading vessels for Philadelphia the 24th June 1729, but it was an unfortunate voyage: the ship was lost, as there was reason to suppose, in a violent storm, and neither the master, nor any of the ship's company, was ever heard of. From that time Mrs. Murphy continued in the house on George's Quay, which was built by her husband, and there bestowed all her attention on her two surviving sons, James and Arthur, till in December 1735, by the advice of her brother Jeffrey French, of Argyle Buildings, London, she sold all her property in Dublin, and removed with her young family to the metropolis.

" This writer did not remain long in London: his mother's sister, Mrs. Plunkett, wife of Arthur Plunkett, of Castle Plunkett, in the county of Roscommon, being at that time set-

died at Boulogne with her family; she desired by letter that her nephew Arthur should be sent to her. Accordingly, the young adventurer, early in the year 1736, was embarked, and soon arrived at his aunt's house, which was large and commodious, in the lower town, near the church. Her family was large; no less than five sons and four daughters, who behaved with the greatest affection to young Arthur, till, in the beginning of 1738, Mrs. Plunkett was ordered by her physicians to the south of France, for the recovery of her health. On that occasion she sent her sons to their father, who was then in London, and placed her daughters in a convenient situation at Montreal. Young Murphy, then turned of ten years old, was sent to the English college at St. Omer's, and in that seminary he remained six years.

"In February 1734, he was of course placed in the lowest school, under the Rev. Mr. Stanley; and under him went through the second school in regular succession, till being at the head of rhetoric, and the first boy in the college, he was dismissed to London in 1744, being then seventeen years old."

“From the middle of the second year in great figures, young Murphy obtained the first place; and except three times maintained his ground throughout five successive years. One thing in particular he cannot help recording of himself: in the middle of the year in poetry, the young scholar stood a public examination of the *Æneid* by heart. The Jesuits were arranged in order,

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and several gentlemen from the town were invited. The Rector of the college examined his young pupil, and never once found him at fault: at the end of half an hour, the Rector took a pen to write Murphy's eulogium. It should have been premised, that all the scholars went by assumed names; Murphy changed his to Arthur French. The words of the Rector were, "Gallus nomine, Gallus es, qui simul ac alas expandis, cæteros supervolitas." This at the time filled me with exultation; and even now is remembered by me with a degree of pleasure. I cannot quit this head, without saying, that I often look back with delight to my six years' residence in the college of St. Omer's. During that time I knew no object of attention but Greek and Latin; and I have ever thought, and still think it, the happiest period of my life.

"In July 1744, I arrived at my mother's in York Buildings. My eldest brother James soon came home from his morning walk, and embraced me with great affection. In a day or two after, my uncle Jeffery French, then Member of Parliament for Milbourn Port, came to see me. He talked with me for some time about indifferent things; and then, repeating a line from Virgil, asked me if I could construe it? I told him I had the whole *Æneid* by heart. He made me repeat ten or a dozen lines, and then said, "If I have fifty acres of land to plough, and can only get two labouring men to work at two acres per day, how many days will it take to do the whole?" "Sir!" said I, staring at him; "Can't you answer that question?" said he; "Then I would not give a farthing for all you know. Get Cocker's Arithmetic; you may buy it for a shilling at any stall; and mind me, young man, did you ever hear mass

while you ~~was~~ abroad?" "Sir, I did, like the rest of the boys." "Then, mark my words; let me never hear that you go to mass again; it is a mean, beggarly, blackguard religion." He then rose, stepped into his chariot, and drove away. My mother desired me not to mind his violent advice; but my brother, who was educated at Westminster school, spoke strongly in support of my uncle's opinion, and he never gave up the point till he succeeded to his utmost wish.

"James soon after went to the Temple to study the law, and this writer remained with his mother in York Buildings, till the month of August 1747: he was then sent by his uncle to the house of Edmund Harold, an eminent merchant in Cork, and there remained a clerk in the counting-house till April 1749; having first attended at Mr. Webster's academy near the Mews, where he was taught to cast accompts, and instructed in the Italian method of book-keeping. On his uncle's arrival in Dublin, he ordered his nephew to meet him at Headford, in the county of Galway, the seat of Lord St. George, but at that time occupied by Arthur French, of Tyrone, nephew to Jeffery French. Nor can I pass by the city of Cork without acknowledging the civilities I received from the eminent merchants there. A more hospitable, polite, and generous people, it has not been my lot ever to have known.

I reached Headford; and, in a few days after my arrival, Jeffery French came there, with his intimate friend Mr. Dodwell, of Golden Square, a gentleman of great taste and eminence in literature. In about ten or twelve days they both set off for Dublin, while I had directions to remain in the country, till such time as my uncle should write to me. In

August

August 1749, I received a letter from Argyle Buildings, ordering me to repair to Dublin, where I should receive further directions from Dillon the banker. I was there informed that I must embark, in a ship then ready, for Jamaica, where Jeffery French was possessed of a large estate. Upon this I wrote to my mother, who in her answer desired me to return immediately to London. I obeyed her order; and from her house wrote to my uncle, as she desired: my uncle was enraged at what he called wilful disobedience, and from that moment would never see me. He imputed to me a love of idleness; but, to remove his suspicions, Alderman Ironside, at that time an eminent banker in Lombard Street, was so polite as to invite me to a station in his counting-house; where I was treated with the greatest civility. At the end of a year, finding that nothing made an impression on Jeffery French, I took leave of Alderman Ironside, where I had remained till the end of 1751.

The playhouses at that time had great attractions. Quin, at Covent-Garden, and Garrick, at Drury-Lane, drew crowded houses. There were besides, Mrs. Cibber, Mrs. Pritchard, Mrs. Clive, and that excellent comedian Harry Woodward. London at that time had many advantages, which have been long since lost. There were a number of coffee-houses where the town wits met every evening; particularly the Bedford, in the Piazza, Covent-Garden, and George's, at Temple-Bar. Young as I was I made my way to those places, and there, among the famous geniuses of the time, I saw Samuel Foote and Dr. Barrowby, who was a celebrated wit of that day. Foote, at a table in the Doctor's company, drew out his watch with great parade, and then said, "My watch

does not go." "It will go," said Dr. Barrowby; and Foote was abashed by a loud laugh.

"Another well-known person at that time, namely, the famous Doctor Hill, author of a daily paper called *The Inspector*, was a constant visitor at the Bedford. The Doctor's essays were weak and frivolous to such a degree, that, though not then two and twenty, I flattered myself that I could overtop Dr. Hill. I passed a few weeks in making preparations; and on Saturday, October 21, 1752, most boldly and vainly published the first number of *The Gray's Inn Journal*.

"The encouragement I met with emboldened me to persevere; and from that time I went on with great alacrity, without any thing to stop me in my career, till, in the month of October 1753, a very extraordinary occurrence interrupted me in my course. There are a few persons still living who remember all the circumstances of the affair.

I went on with the *Gray's Inn Journal* without interruption, even though a circumstance occurred unfavourable to our mother's expectations; for my uncle Jeffery French had at this time almost closed his career. Having agreed with the Duke of Bedford, he set out with Mr. Rigby to be chosen member of parliament for Tavistock in Devonshire. The election being over, he went to Bath, in an ill state of health, and died there in the beginning of May 1754. His will being opened, it appeared that my name was not so much as mentioned. The Jamaica estate and about 900*l.* per annum, in the county of Roscommon, were left to James Plunkett, Esq. who was my first cousin, a very gentleman-like and elegant man. This to me was a terrible disappointment, the more so as I then

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was in debt no less than 300l.; a sum, that seemed sufficient to overwhelm me.

"The late Samuel Foote was, at that time, my intimate friend and chief adviser: he bade me do as he had done, and go on the stage. I approved his advice, so far as to let it be given out, that I intended to pursue that scheme, in hopes that my relations, who by my mother's side were rich and numerous, would take some step to prevent what I imagined they would think a disgrace to themselves. I heard nothing from any of them; they all seemed indifferent about me, and therefore I concluded the *Gray's Inn Journal* on the 21st of September 1754, and, in a short time afterwards, appeared at Covent-Garden in the character of Othello.

"In the course of that season I contrived, with œconomy, to clear off a considerable part of my debts. Mr. David Garrick engaged me for the following year at Drury-Lane, when, including salary, profits of the farce called the *Apprentice*, and a generous support of my friends on my benefit night, I cleared within a trifle of 800l. I had now, after paying off all my debts, about 400l. in my pocket; and with that sum I determined to quit the dramatic line: this was in the summer 1756.

In the beginning of 1757, I offered to enter myself a student of the Middle Temple; but the Benchers of that Society thought fit to object to me, assigning as their reason, that I had appeared in the profession of an actor. This kindled in my breast a degree of indignation, and I was free enough to speak my mind on the occasion. I was obliged, however, to sit down under the affront; and being at the time employed in a weekly paper, called *The Test*, my thoughts were fixed entirely on that

work. It was an undertaking in favour of Mr. Fox, afterwards Lord Holland. The Newcastle administration was overturned by the resignation of Mr. Fox, then Secretary of State; and an interval of four or five months ensued without any regular ministry; when the Duke of Devonshire, to fill a post absolutely necessary, agreed to be, during that time, First Lord of the Treasury. The contention for fixing a ministry lay between Mr. Pitt and Mr. Fox; and, during that time, the *Test* went on in favour of the latter; but, at length, the City of London declared, in a most open manner, in favour of Pitt and Legge, made them both free of the City, and invited them to a sumptuous entertainment at Guildhall. From this time the contest between the rivals ceased: Mr. Legge was appointed Chancellor of the Exchequer, Mr. Pitt Secretary of State, and Mr. Fox Paymaster of the Forces.

"My weekly lucubrations of course terminated; nor, during their publication, had I ever seen Mr. Fox: at length, in August 1757, I was invited to dine at Holland House. The company were, Horace Walpole, Mr. Calcraft, and Peter Taylor, who was soon after made Deputy Paymaster of the Forces, and went to the army then commanded by Prince Ferdinand. Mr. Fox was a consummate master of polite manners, and possessed a brilliant share of wit. It happened, after dinner, that the present Charles Fox, then about thirteen years old, came home from Eton-School. His father was delighted to see him; and, "Well Charles," said he, "do you bring any news from Eton?"—"News! None at all! Hold! I have some news. I went up to Windsor to pay a fruit woman seven shillings that I owed her: the woman stared, and said, *Are you son to that there*

Fox

Fox that is member for our town? Yes, I am his son. Po, I won't believe it; if you were his son I never should receive this money." Mr. Fox laughed heartily; "And, here Charles; here's a glass of wine for your story." Mr. Charles Fox seemed on that day to promise those great abilities which have since blazed out with so much lustre.

"The contemptuous treatment I had met with at the Temple occurred to Mr. Fox, and he spoke of it in terms of strong disapprobation. In about a week after he desired to see me at Holland House, and then told me, that he had seen Lord Mansfield, who expressed his disapprobation of the Benchers of the Temple, in a style of liberality and elegant sentiment which was peculiar to that refined genius. Lord Mansfield accordingly desired me to offer myself as a Student to the Society of Lincoln's Inn, where I might be sure of a genteel reception. I obeyed this direction without delay; and I now feel, with gratitude, the polite behaviour I met with from that Society. This was in the year 1757. I now attended to the law: at the same time I followed Lord Coke's advice, who says, *Quod sapient ultro sacris legis in camoenis*. The consequence was, that in the beginning of 1758, I produced the farce of *The Upholsterer*, which owed its prodigious success to the acting of Garrick, Yates, Woodward, and Mrs. Clive. In the course of this year, 1758, I parted with my brother: he sailed in the month of August 1758, for the Island of Jamaica, where he went to practise at the bar. In the month of November following I received a letter from him, dated at . . . .; and the next account was to me most melancholy, as it informed me of his death within a month after he landed. A trunk, containing his

papers and letters, was all the property he had to leave, and that came to my hands. Before the end of this year I finished *The Orphan of China*, of which I need not say any thing, as I have given a full account of it in the life of Garrick. The muse still kept possession of me, and early in 1760 I produced the *Desert Island*, and *The Way to keep Him*, in three acts; which, in the following season, 1761, I enlarged to a comedy of five acts. The season at Drury-Lane playhouse closed in the beginning of June, and then the celebrated Sam Foote proposed a plan for taking Drury-Lane Theatre during the summer months. Of this an account is given in the Life of Garrick, and therefore may be passed by here, without a word more; except, that in the course of that summer I produced the comedy of *All in the Wrong*, *The Citizen*, and *The Old Maid*. I now dedicated my whole time to the study of the law, and continued so to do till the end of Trinity Term 1762, when I was called to the bar. Some little interruption, however, I must acknowledge, from my engagement in *The Auditor*, in defence of Lord Bute against the North Briton, the production of Mr. Wilkes.

"In the summer 1763, I went the Norfolk Circuit, induced by the advice of my good friend Mr. Serjeant Whitaker, a man of infinite wit and humour, and of the highest honour. Being my first adventure, I could not expect to glean much; in fact, I returned to town with an empty purse. My friend Mr. Foote, who never spared his joke, said on the occasion, "Murphy went the circuit in the stage coach, and came home in the basket." In Trinity Term, 1764, I made my first effort at the bar, in the cause entitled *Menaton and Athawes*. I was counsel

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on the part of the plaintiff, and Mr. Dunning was counsel for the defendant. The court divided with me; and Lord Mansfield, in his elegant speech on the occasion, gave me the most flattering encouragement. Accordingly I applied with diligence, and attended the King's Bench with great regularity; but the muse still had hold of me, and occasionally stole me away from Coke upon Littleton. Accordingly I produced the farce, called, "Three Weeks after Marriage," and in the year 1768 the tragedy of Zenobia, in which Barry and Mrs. Barry, who were then engaged at Drury-Lane Theatre, made a most distinguished figure. I went on with tolerable success at the bar; but I followed Lord Coke's advice.

"In the year 1772, I produced the tragedy of the Grecian Daughter, in which Mrs. Barry acquired immortal honour. In the following year my friend Mr. Harris prevailed on me to give the tragedy of Alzuma to Covent-Garden Theatre; and in 1777, Garrick having abdicated, the same gentleman obtained from me the comedy of Know your own Mind. This is the last piece that I brought on the stage.

"The law now entirely engaged my time till the year 1780, when Lord George Gordon's mob set fire to Lord Mansfield's house in Bloomsbury-Square. The noble Lord, in a kind of disguise, made his escape before the flames blazed out. His Lordship was astonished at the violent rage of the incendiaries: he never imagined that they would set fire to the house of the Chief Justice of England. From that time his spirit began to droop; and it was to me the greatest mortification to see that exalted genius sinking every day, till I saw him, who stood above all competition, dwindle into infe-

riority, and became no more than a mere common judge.

"From that time I had no kind of pleasure in attending at the bar. I still, however, continued to go the Norfolk circuit, when the death of Serjeant Whitaker, and two or three more, advanced me to the station of senior counsel. In that employment I remained till 1787, when, on the last day of Trinity Term, to my great astonishment, the Chancellor took into his carriage a junior to me on the circuit to St. James's, to kiss his Majesty's hand as King's Counsel. This was done with the greatest secrecy; not a word transpiring till the very day on which it was completed. The effect this had on my mind was the more felt by me, as, from my former connexion with Lord Thurlow, I had reason to expect a very different kind of treatment. I accordingly resolved, without a moment's hesitation, to go the circuit no more; as I was determined not to be an opening counsel under a person who had been four years my junior. Mr. Partridge was the person thus suddenly advanced over my head: I had no particular objection to him; for in fact he was a man of amiable manners. In a few days he sent me a card of invitation to dinner; but I declined it with all due civility. Soon after Mr. Partridge called upon me, at my chambers in Lincoln's Inn, and pressed me to go the circuit; but I told him I was determined to quit it entirely. He still continued to urge his request: I told him he must excuse the manner in which I should give my final answer, which was as follows: As he was a little man, not much higher than my shoulder, I observed to him that there had been exhibited as a spectacle the tall Irishman, and at the same time the Norfolk dwarf; Now, said I, the tall Irishman

Irishman will not travel with the Norfolk dwarf. He affected to laugh, and thus ended our connexion. I kept my word, and in the month of July 1788 sold my chambers in Lincoln's Inn, and retired altogether from the bar.

"I now bought a house in Hammersmith town, and there prepared my translation of Tacitus for the press, which was published in July 1793. I ventured to print it on my own account; and George Robinson, of Paternoster-Row, was the publisher. I shall not here state an account of the treatment I met with from that man, nor shall I mention the like behaviour from the late Thomas Cadell; they are both dead, and peace be to their ashes. From that time I continued to amuse myself with literary matters: the tragedy of Arminius; The Force of Conscience, being an imitation of the thirteenth Satire of Juvenal, with the life of Garrick, were the productions of three or four years. Besides those pieces, a Latin Translation of Addison's Epistle to Lord Halifax from Italy, with an Ode prefixed to Lord Loughborough, now Lord Rosslyn, served to fill up my time. If I shall have health enough, my intention is to write the life of Samuel Foote; a man, to whose company I owed some of the greatest pleasures of my life, and whose memory I now esteem and value. That, if I should be able to accomplish it, will end my literary career. The polite attention of Lord Loughborough (then Chancellor) has made the deepest impression on my mind: such was the friendship of that noble Lord, with whom I was intimately acquainted from the year 1757, when he was called to the bar, that he wrote a letter to me, desiring that

he might appoint me a Commissioner of Bankrupts. My answer to his Lordship was, that I felt it very awkward to receive again what I had voluntarily resigned in 1780;—so the matter rested for six months, when I took the liberty to request a favour of his lordship:—His answer was, "that what I asked was not in his department; but," said his Lordship, "Why not let me make you a Commissioner of Bankrupts: I know why you resigned, but you will never have those reasons as long as I hold the Great Seal." His Lordship added, "that a gentleman who then held the office, would resign it, as soon as I should be ready to accept it." Upon this all my scruples vanished, and from that time I attended the business at Guildhall, till my declining health obliged me a second time to resign the office; which I did, to Lord Eldon, who, after a most kind remonstrance on the occasion, which I am proud to mention, did me the honour to receive it.

"I have now gone through the several particulars of my life, and I have stated every thing with the strictest truth. I know that it is of no kind of importance; but, if I am to be mentioned hereafter, I am desirous that it should be with exact conformity to the real state of the case. When I look back, I can see, that in many instances I was too careless, and did not sufficiently attend to my own interest; but the fact is, I never set a great value on money: if I had enough to carry me through, I was content; but though I can accuse myself of neglect of my own interest, I thank God I cannot fix on any action inconsistent with moral rectitude."



## CHARACTER AND DEATH OF MR. MURPHY.

[From the same.]

“ **W**HEN I first became acquainted with Mr. Murphy, in the year 1792, he was then sixty-five years of age, and in very good health. He resided at that time on Hammersmith Terrace, and was preparing his *Tacitus* for the press.

“ Our acquaintance arose from a coincidence in opinion, respecting the following circumstance. The Proprietor of Covent-Garden Theatre thought proper to enlarge it beyond the extent for representation of genuine drama; and he demolished the old two shilling gallery, erected boxes in its place, turned the old one shilling gallery into a new two shilling one, with a design to cheat the people out of a one shilling gallery altogether. Constituted as human nature is, with different objects and different determinations to be pleased, neither of us could refrain from avowing our opinions against the conduct of the proprietor: and more so because he had attempted, in an insidious manner, as if he were going about a wrong act,—to take the town by surprise, without consulting poets, players, or people, upon the occasion. This will be all the notice I shall take of the affair in this place: though I am free to confess, that on the day the two theatres opened, under these extended dimensions, the English drama received a mortal stab. The expression, the by-acting, the whisper, the dramatic force, which aided Garrick’s immortal fame in his own appropriate theatre, never can be realized again by any future genius. The proprietor, having a patent in his pocket, might have multiplied his theatres.

“ I shall now proceed to relate

what occurs to me concerning Mr. Murphy. I cannot confine myself to the strict rule of a regular narrative; because I never was aware that I should have had the lot of being his biographer: but I still mean to be correct in what I relate, and honest in what I may deliver in the way of opinion.

*Quid verum atque docens carò et rogo.*

“ When Mr. Murphy left the bar, he was not rich enough to be able to live comfortably on what he possessed. To speak of wealth, or any condition of it, would be degrading, if it were not necessary to refer to it in order to explain the consequences from the possession or the want of it. Mr. Murphy certainly flattered himself, that the profits of his *Tacitus*, of his dramatic works that had already been performed, and those he had finished and was writing, would, with other occasional engagements, maintain him in comfortable independence. The printing his *Tacitus* occupied three years: he composed four new plays; he printed a new edition of his dramatic works which had been published: and during all this time, he certainly lived in expectation of receiving a greater reward for his labours than he ever obtained. He sold his house on Hammersmith Terrace, and the choice part of his library; and he left a society, where he had experienced the friendship of some, and the regard of all his neighbours. He was not at that time so often seen in the London streets: not being then a Commissioner of Bankrupts, he only went occasionally to town. He had not directly experienced the mortification of a want of money,

nor

nor had he been attacked by disease. He went on in his studies, and in his relaxations: he served his neighbours, drew up their memorials, wrote their letters, &c.: he promoted the interest of the French emigrants; being able to converse with them, he knew how to set a value upon their individual merits; he also drew up their cases, and he circulated their subscriptions. His house was the westernmost on Hammer-smith Terrace, and his ostensible plea for leaving it was, the distance from town, while he was printing his *Tacitus*; indeed, he often lamented that, by being deprived of the luxury of a carriage, he was obliged to leave Hammer-smith. He took apartments at No. 14, Queen's-Row, Knightsbridge, but he soon removed to others in Brompton Row, where he did not remain long, not liking the mistress of the house; but returned to his former residence, where he resided till the time of his death.

"The parting with his pleasant residence at Hammer-smith, his fine library in a great measure disposed of, and being literally among strangers, the consequent agitation of his mind, brought upon him an urinary attack, which had nearly carried him off; and changed his appearance into that of an old man, of which he had no appearance before; and he never recovered his former health or robust condition. Whilst he was printing his *Tacitus*, he sometimes took up his abode at the hotel in Dean-Street; and he was there during the trials of Hardy and others at the Old Bailey. He was a constant attendant upon them; and very unreserved in his animadversions on those proceedings.

"The urinary complaint that I have just alluded to attacked him again whilst he was at Brompton, and at

the coldest season of the year.—The distance being too far for him to have that attendance which was necessary; he came to Slaughter's Coffee-House, where he speedily recovered from the violence of the symptoms, by application of the *vesicæ lotura*. He copied his plays, read one of them to Mrs. Siddons, was visited by many of the theatrical performers, the principal of whom was the late John Palmer, who had an open sincerity of manner pleasing to Mr. Murphy. But not one of these plays was ever brought upon the stage.

"And here is room for reflexion of the most serious nature. Mr. Murphy had in disgust quitted the bar, was living upon the anticipation of what his *Tacitus* might produce, the stage-door shut against all his unpublished plays, his fame and his fortune decreasing, afflicted for the first time with disease, advanced in years, unable to engage in any new enterprize, with other petty vexations;—yet under all these visitations, it has frequently astonished me, when I saw how stoutly he braved this uncomfortable situation. At this time, to my knowledge, he enjoyed no other income than what he expected from his own literary efforts. He fortunately soon after was made a Commissioner of Bankrupts; but that was nothing to repay the debts incurred for more than three years in the laborious pursuits of scholastic literature, as the translator of *Tacitus*, *Sallust*, *Vida*, *Vaniere*, *Gray*, and *Addison*. What would have become of a man so conditioned, and in a country where literature is supposed to meet with the highest rewards? what would have become of a man thus worn down by disease, and chagrin, if there had not been in him those superior qualities which could and did support and bear him through?

through? It was thus—that as Mr. Murphy naturally despised money, honour, and fame, not derived from his own merit, so he was content to draw a subsistence from the adventure of that alone; and if he failed, the shock to him was not like that which is felt by an ambitious man, who depended upon what others could assist him in, and who failed, without the consolation of having the merit of his own talent again to resort to for any new resource.

“No man permitted, like Mr. Murphy, opportunities of independence to pass by him. A great part of the prime of his life, when he might have seized many advantages, was consumed and mouldered away in the services of the Blake family; and when he said, “Thank God, I have done with the Blakes,” I am sure he spoke an emphatic truth: as there can never be any recompence, short of independence, for calling off a man's attention from his own pursuits, and thus diverting the current of them, towards the advantage of others. This practice, often flattering, and which appears at the first approach but trifling, becomes in the end a habit, takes off from the energy of an independent mind, and lowers the pride of an enterprising talent: to have a plate at any man's table; to have the range of his country seat for the purpose of being at his call whenever he wants the use of that talent which he possesses not himself; to have the value of the claim weakened by a set-off of hospitality, will dishonour the person who has thus so unjustly and credulously dealt by himself. If Mr. Murphy had applied closely to his own interest, he would have excelled. It was not because he had not talents for the law that he did not arrive at a pitch of eminence; but it was because he so divided his atten-

tion, that no particular talent had the benefit of that excellence his strength of mind could have given to it. His study of the law was profound. His manuscripts prove that. His law extracts and reflexions, and his notes on cases, will make many volumes. But it must be remembered, that the world does not think the better of a lawyer because he is a polite scholar, an admirer of the Belles Lettres, and a dramatic author: had Lord Kenyon written a play, though it had been as serious as the old moralities, he would not perhaps have been the Chief Justice. He perhaps was made made Chief Justice from having nothing but law to recommend him.

“It appears, that Mr. Murphy associated and formed his friendships with the world, without any other design than that of self-gratification.

“With all the great men of the law of his time, he was on terms of intimacy; for he always kept the best company, if getting into the circle of learning, wit, genius, and title, constitute what may be called keeping the best company. But latterly, when at Knightsbridge, he was rather retired and solitary. In that neighbourhood, he found but few only to whom he was attached.

“Mr. Morgan, who was one of the Commissioners of the Hackney Coach Office, was Mr. Murphy's favourite neighbour. That gentleman formerly distinguished himself, by having written a pamphlet to prove that Falstaff was no coward; and with the same turn of singularity, he reasoned, in his own manner, upon other characters of Shakespear. Mr. Murphy when he visited him, which was frequently, (for he always declared that Mr. Morgan was a very worthy and a very honourable man,) from a dread that Mr. Morgan's singularities in the construction which

he put upon many of the characters of Shakespear should excite altercation between them, generally bespoke an agreement of silence upon that topic; and with a cheerful countenance, at the same time insinuated that the intimation he gave to forbear the Shakespearian conversation, was the rallying point, at which the challenge was given and accepted for its commencement. Whenever he told this, as he would at last repeat the same thing at different times, it always excited in his mind a pleasing merriment. "O! heavens!" said Mr. Murphy one day to Mr. Morgan, when he was about to leave him, and had the door in his hand, "O! heavens! we soon, I suppose, shall have another pamphlet from you, to prove that Iago was not a villain." Mr. Morgan died a twelvemonth before Mr. Murphy: and I know, he sincerely lamented his loss, and received a shock as applicable to the condition of his own age and infirmities.

"Mr. Murphy was naturally a man of modest demeanour; he never was ambitious of shining in company, and yet he was not in any one point a misanthrope. Though his life was spent in a continual round of society, from the first to the last of it, yet no man disliked the company of strangers more than himself. Whenever he formed new acquaintances, he generally found them first of all in the society of his respectable friends. The late Mr. Macnamara of Streatham, a gentleman of high consideration, and known for his hospitality and select societies, had been his long and habitual friend. At this gentleman's table, he experienced the honour of being admitted of the party, and of enjoying the society of the Prince of Wales, the late Duke of Bedford, and other eminent persons. To say

that his state of mind, that the strength of it, was in its most perfect condition, or that he displayed himself in brilliant and striking observations, would be what no one could ever expect, considering his years, and how he stood in life at the period of time to which I now allude: but it was just so with him then as it ever was,—his appearance secured him respect. He particularly attracted the attention of the Prince. His Royal Highness asked him what provision he had ever received from the throne? and he seemed astonished at finding that he was without any. Mr. Murphy was never more happy than when he talked of this introduction to the Prince; and he always added that "the Prince of Wales was the most accomplished gentleman he had ever seen."

"Mr. Murphy composed an epitaph for his old friend Mr. Macnamara, which has a place in Streatham church.

"This visit of Mr. Murphy was followed almost immediately after, by an invitation to his grace the Duke of Bedford's seat at Woburn, to meet a part of the same society he found at Streatham; where he remained a whole week, in the enjoyment of the easy and splendid hospitality which distinguished that noble residence. At this time his *Tacitus* was published: and in a morning conversation, as they passed their time in the library, the Duke of Bedford remarked to Mr. Murphy, that the chasm which he saw in the rank of quartos, next to Mr. Gibbon's works, was destined to be filled up by his *Tacitus*, which was then at the bookbinder's. On Mr. Murphy's return to town, I met him the following morning in Coventry Street, and he dined with me, full of the hospitality and the pleasure he had received;

received; but after all, he added, that this would have been a most exquisite repast to him twenty years ago; but now, said he, "I was, before such guests, only an object that had been, both in mind and in body!"

"There is a tide in the affairs of men, and Mr. Murphy's began now to take a more favourable turn; and I consider him to have been, for the last seven years of his life, far removed from want. A legacy of one thousand pounds from his relation Mrs. Ford, came very acceptably: his appointment as Commissioner of Bankrupts, and his sale of the Life of Garrick followed. His generous allowance from Mrs. Plunkett followed that. And lastly, though late, came his pension from the crown. Besides all this, there flowed in from the generous purses of private individuals, not in the way of subscription, some very liberal donations.

"I consider Mr. Murphy's time to have been employed for the few last years in an irregular and desultory manner. He had to attend to his duties of Commissioner of Bankrupts; he had law-suits upon his hands; he attended to the politics of his country; he wrote a few essays; and he was obliged to consider his state of health, which was evidently declining, insomuch that it was a matter of astonishment to those who knew him best, that he held out so long. His being called by the Society of Lincoln's-Inn to his seat as a benchers, flattered him; for there were remaining in the Society some of his oldest friends: the reason of his being invited so late, arose from the appointments of Crown Officers being mostly filled up from that Society, and that it was a rule to invite Crown Officers to become benchers out of their turn: their turns, however, being

all served, his came at last. He spoke of the time he intended to join the Society with great pleasure, and after he had been there, the satisfaction he expected appeared to have been increased by the respect he received. To enhance all this, there was a particular occurrence, which, however trivial, ought not to be omitted; for trivial occurrences, if they give delight, should not escape attention.

"No man, and I am sure it cannot be called in question, lived better with his brethren of the profession, than Mr. Murphy: and though he was the intimate friend of Mr. Dunning, afterwards Lord Ashburton, and esteemed his talents beyond those of any other man's, still he had a proper regard for the talents and integrity of Mr. Wallace, the Attorney-General, and Mr. Dunning's opponent in the Court of King's Bench. This procured for him, to the end of his life, the friendship of Mr. Wallace's brother, his Majesty's woollen-draper, who presented him with a piece of blue broad cloth, made entirely from his Majesty's wool. With a new coat of this he made his first appearance amongst the Benchers. The mind of a school-boy in new clothes, could not be susceptible of more delight, than he professed to feel from this circumstance and on that occasion.

"Of the Life of David Garrick; written in sickness and in sorrow, it hardly becomes me to say more than what I have said already. It has appeared before the public, who have doubtless formed their opinions upon it, which will not be affected by any praise or blame of mine. He certainly wrote it on the spur of the occasion; and I am convinced, that, from a wish in him to forget whatever was not pleasing for him

to remember, he left many and the most essential points in the work untouched. He had by him materials which he would not use, and he wrote as if he thought he could produce a life without going into it: but had he gone into it, he must have written twenty years of his own life, as well as Mr. Garrick's. He has told us so; for he says, he wished to bury in oblivion all the altercations that passed between them. This is what has made this life appear so poor in documents. One can every where see the naked surface of the character, but no more. I have already said, that it was mostly written when he was distressed by disease, and even in danger of his life.

"Habit, we are told, is second nature: Mr. Murphy had always a striking-clock in his bed room; and because he could not sleep sound when he was in his town lodgings, he was confident that it was owing to the want of a clock. He therefore hired one that struck the hour and chimed; and he slept very well afterwards. No man endured sickness with more patience, or was more obedient to rule. He had to undergo, generally twice a day, a formidable operation to the eye of a spectator; but to him, from habit, it became, as it certainly was, easy, if not pleasant. During the time that he was under the process, he constantly repeated passages from Virgil, Ovid, or Horace, and never ceased till the operation was over.

"The season of the year being now advanced to the spring, he returned to Brompton, and finished his *Life of Garrick*. When that was done, a few of his friends dined with him, at the Prince of Wales's tavern, in the vicinity of Sloane Street. He read to them in a very fine manner, before dinner, the con-

clusion of the *Life*, and appeared in an astonishing state of recovery. I never shall forget him when the chief of his company had departed: he, Mr. John Taylor, and myself, took a turn into Sloane Street, just as the full moon appeared above the horizon, and without preparing us at all for it, he put himself into a fine-dramatic attitude, and recited, in the most impressive manner, Pope's description of the moon from Homer.

As when the moon, refulgent lamp of night!  
O'er heav'n's clear azure spreads her sacred  
light;

When not a breath disturbs the deep serene,  
And not a cloud o'ercasts the solemn scene;  
Around her throne the vivid planets roll,  
And stars unnumber'd gild the glowing pole,  
O'er the dark trees a yellower verdure shed,  
And tip with silver ev'ry mountain's head;  
Then shine the vales, the rocks in prospect  
rise,

A flood of glory burns from all the skies:  
The conscious swains, rejoicing in the sight,  
Eye the blue vault, and bless the useful light.

"One word more on the *Life of Garrick*.—If those who thought it barren of busy materials, and expected from Mr. Murphy farcical anecdote and drollery, have been disappointed, let them remember how possible it may be, that the fault was not so much Mr. Murphy's as their own.—In no one production did he authorize his readers, (and he has written lives and has been selected even by booksellers to write them,) to expect from him that commonplace farcical anecdote and drollery; commonly substituted for refined and critical discussion.—In his *Life of Garrick*, Mr. Murphy's criticisms on the new plays, the enlarged theatres, and modern managerial government, would have distinguished him, when he enjoyed the prime of his intellect.—His conclusion of it also marked his independence, but I fear, at the same time, injured his interest, as he then had plays prepared

pared for the stage, but not as yet accepted by the managers.

"Mr. Murphy's reception among the Benchers of Lincoln's-Inn appeared to renovate his mind, to excite new ideas, and revive old ones. He seldom mentioned his law friends before this circumstance took place; but he would afterwards wander, and with some delight, into law subjects; nay, he would sometimes tread the flowery path of contingent remainders; and detail the occasions where particular lawyers had obtained distinguished pre-eminence. He would also give, in a very entertaining manner, reports of extraordinary causes, and, like the old soldier, fight his battles o'er again!

"As the chief part of his life was divided between law and the drama, it was natural that his select friends should have been chosen from both. Mr. Dunning and Mr. Foote appear to have been his most confidential friends; with them he could safely speak of others, unbend his social hours, and receive a gratification highly pleasing to him. In his apartments there was a portrait of Dunning, a very striking likeness, painted in Crayons by Ozias Humphrey. Mr. Dunning and he sometimes retired to Wimbledon, where the former had a house, a fine garden, and a hot-house, which he saw so seldom that, upon both their calculations, it was found that it cost a hundred pounds a visit. Having less to do than Mr. Dunning, he used to go to his chambers in the hours of business, where he has seen Mr. Lloyd Kenyon returning and receiving opinions. One time Mr. Kenyon asked Mr. Dunning for a frank to a relation in North Wales. Mr. Dunning gravely wrote him one, directed to his relation in North Wales, near Chester. Mr. Kenyon threw down the paper, and said, "Take your

"Franks, Mr. Dunning: I will accept no more from you." Mr. Dunning got between him and the door, and pacified him.

"Mr. Dunning having business in the west of England, gave Mr. Murphy a cast in his carriage, and in his way called on Lord Chatham at Burton Pynsent. Mr. Murphy wished to be taken up at the next stage, and to leave Mr. Dunning to call alone on his lordship, as he had formerly conducted a political contest against him: but Mr. Dunning would not part with him: they drove up to the house whilst it poured torrents of rain, and there were large sheets of water round the house. Mr. Dunning left Mr. Murphy in the chaise. But Lord Chatham soon came to Mr. Murphy, and without the least ceremony, told him that "he should not remain as an enemy "at his gate," and on the chaise door being opened, he added, "This is kind of you! you see, sir, I am "confined here by inundations, like "Noah in his ark."

"Mr. Murphy used to say, that if ever there was a natural logician, it was Mr. Dunning. When he was in the happiest mood, a speech of his, that took only half an hour, would embrace all the arguments contained in his opponent's of two hours. But yet he agreed, that it required the utmost attention to follow him. His mind laboured. He had, all the while, a movement of his head, a grinding of his lower jaw, and a certain singular cast of countenance. There was, besides, a huskiness in his throat, which constantly moved him to make use of an endeavour to clear it: this was first produced as a mental excitement, but afterwards became a habit, whenever his subject demanded any extraordinary exertion.

"A short time after, Mr. Dunning

ning was created Lord Ashburton : when he awoke one morning and heard the servant-maid in the next chamber, he ordered her to undraw the curtains. He asked her what it was o'clock ? she told him, " it was late." " Why then undraw the curtains." " They are undrawn," she said. He still thought otherwise, and desired his valet to be called. The valet confirmed the maid's report, and it was not till then, that his lordship found, that, by a paralytic stroke he had been deprived of his eye-sight, without the least sensation of pain.

" Soon after this calamitous visitation Mr. Murphy was with him at his house in Lincoln's-Inn Fields, when the name of Colonel Barré was announced; and he was led in, by a guide, as blind as the noble person to whom his visit was directed. These two eminent characters were amongst the strongest opponents of Lord North's administration : and Lord North also, almost at the very same period, experienced the melancholy approach of the privation of his sight : a circumstance in the history of these distinguished characters which affords an ample scope for serious reflexion.

" Shortly after, Lord Ashburton, on his return from the west of England, in his way to London, met Mr. Wallace, the late Attorney-General, at an inn upon the road, going to Falmouth for the benefit of his health. They passed the evening together ; and when it is considered what these two men had been, and what the condition of both of them then was, I will leave the scene of the evening to be filled up by the mind of the reader. They parted never to meet again. Lord Ashburton died in Lincoln's-Inn Fields, and Mr. Wallace died at Falmouth. Mr. Murphy has composed an elegant

Latin epitaph to the memory of the latter.

" It will be recollected that Samuel Foote was one of the earliest friends Mr. Murphy had ; and so far back as the year 1757, it is seen that they were in the habits of familiar intercourse ; and, opposite as they were in their first nature ; the one grave and thoughtful, the other gay and witty ; they notwithstanding formed an indissoluble friendship. It has been seen that they were concerned together to perform plays at Drury-Lane Theatre during the summer of 1760 ; and the agreement was, that each of them should produce three new dramatic pieces. I mention this to shew how friendship will cover faults : for although Mr Foote did not produce one piece, Mr. Murphy only laughed at the trick that was put upon him : and I do not believe there was another man in England that would have served him so, and by the venture escaped with impunity.

" Mr. Murphy had it in contemplation to write the life of Mr. Foote, and he was actually employed in collecting materials for it ; but age and infirmity forbade the fulfilment of this intention. Mr. Murphy had already obtained the best account of his early life ; and as even that must be interesting, I will here give it.

" Samuel Foote was born (I believe, but that may easily be ascertained by the register) about the year 1721, at Truro, in Cornwall : his father, who was an attorney, and some time member for Tiverton in Devonshire, had considerable places under government : his mother was of the ancient family of the Dineleys, of Charlton in Worcestershire, who married with the Gooderes, of Burghope in Herefordshire : both of these families were of an eccentric turn of mind,



‘mind, which Mr. Foote appears to have inherited and preserved to the last.

‘These connexions brought him to the college school at Worcester, under the Reverend Mr. Miles, from whence he was elected Scholar of Worcester College, Oxford, being founder’s kin, about the year 1737.

‘In 1739, being indisposed, he was advised to go to Bath, where he soon made acquaintance with gamblers and men of pleasure. On returning to college, with two footmen and a ridiculous quantity of laced clothes, he was reprov’d by the Provost; when, finding a college life not suited to his genius, he quitted it in 1740, but without any public censure.

‘He had an early turn for mimicry and acting. When at school he was frequently invited by the Sandys’s, the Harris’s, or others of his relations, to dine with them on Sundays: the consequence was, that Monday morning was spent in taking off every part of the family which entertained him, to the no small diversion of all the boys, but generally to their cost; as hardly any boy ever learned his lesson that morning.

‘He is said, when at Oxford, to have acted Punch in disguise. But I remember, in one of his excursions from London to Oxford, which jaunts he made very often, spending an evening with him in company with Martin Maden, Walter Shirley, and others. Those gentlemen and himself acted Punch for a wager, and the company all agreed that Foote was the worst performer of the three.

‘Foote’s great acquaintance, both at school and college, was one Trott; and they went together upon many expeditions.

‘His second brother was a clergyman of Exeter College, Oxon.

‘In the interval from his time of his leaving college and coming upon the stage, he was frequently in great distress. He was once confined for debt in the Fleet; and, I believe, released by an Act of Insolvency: at the same time one Waite was there confined for cheating the Bank. An old school-fellow told me he dined with him there on turbot, venison, and claret, and never spent a cheerfuller day; for, while Waite found money, Mr. Foote furnished wit, jollity, and humour. His first essay, as an author, was written about this time; it was a pamphlet giving an account of one of his uncles, who was executed for murdering his other uncle.

‘In one of his excursions to Oxford with a certain lady, for whom he afterwards procured an husband, he drove a coach and six greys. This lady was afterwards married, and Mr. Foote handsomely rewarded for his trouble. He rented Charlton-house, the family-seat in Worcestershire, where he lived in some splendour for about a year and a half. During his magnificence there, he invited his old school-master, Mr. Miles, to dine with him, who, admiring his service of plate and well-furnished side-board, very innocently asked Mr. Foote what it might cost? Indeed, says he, I know not, but sure I am I shall soon know what it will bring.’

‘Mr. Foote was buried at Dover, though a monument is erected in the cloisters of Westminster Abbey, by Mr. John Hunter, I believe; or at least he proposed the subscription for it.

‘I do not think Mr. Murphy would have written a good Life of Mr. Foote, because he himself must have been

been implicated in many of its scenes: and his delicacy would have induced him to suppress them, as he has done in the *Life of Mr. Garrick*.

“Mr. Foote, however, was a very extraordinary man, who had a fund of wit, humour, and sense; but he did not make a good use of his talents, though he got money by them; which he very idly squandered. He was too fond of detraction and mimicry, which were blemishes in his conversation, though you were entertained by them. He was ridiculously vain of his family, and of his classical knowledge, which was superficial, and boasted of his numerous relations amongst the old nobility. He was very extravagant, but by no means generous: though he spared no expense in his entertainments nor in wine, yet he did not understand a table. He affected to have disguised cookery, and French dishes, and never eat plain meat. He was not clean in his person, and was disgusting in his manner of eating; but he was so pleasant a fellow, and had such a flow of spirits, that you forgot his faults, and pardoned his want of elegance and decency: he always took the lead in conversation, and was generally the chief or sole performer, and he had such a rage for shining, and was so delighted with applause, that he often brought to my mind those lines of Pope in his character of the Duke of Wharton:

*Though listening senates hung on all he spoke,  
The club must hail him master of the joke.*

“He was civil to your face, and seldom put you out of humour with yourself; but you paid for his civility the moment you went out of company, and were sure of being made ridiculous: yet he was not as malignant as some men I have known; but his vanity, and the de-

sire he had of showing his wit, made him run into satire and detraction. He loved titled men, and was proud of their company, though he gave himself airs of treating them with scorn: He was licentious and profligate, and frequently made a jest of religion and morality. He told a story very well, and added many pleasant circumstances of his own invention to heighten it. He had likewise a good choice of words and apt expressions, and could speak plausibly on grave subjects; but he soon grew tired of serious conversation, and returned naturally to his favourite amusement, mimicry, in which he did not excel; for he was coarse and unfair, and drew caricatures. But he entertained you more than a closer mimic. If he had applied to the bar, and took pains in the profession of the law, it is probable he would have succeeded in it; for he was very quick and discerning, and could relate the material circumstances of a trial or a debate in parliament with wonderful precision and perspicuity.

“He was a bad actor, and always ran into farce, and in tragedy he was detestable; for whenever he aimed at expression he was distorted. His voice, face, and figure, were equally disagreeable, yet, under all these disadvantages, he acted many parts in his own plays much better than those who have appeared in them since his death—such as Major Sturgeon, Cadwallader, the Nabob, &c.; these are characters strongly ridiculous, and he succeeded in them. As a writer he had merit, though his principal characters are portraits: but if he had been more diligent in finishing his pieces, they might afford entertainment on the stage at this day.

“He was always buying rings, snuff-boxes, toys, &c. which were a

great expense to him, and was a bubble at play.—Upon the whole, his life and character would furnish matter for a good farce, with an instructive moral. It would shew us, that parts and talents alone are of little use without prudence or virtue; and that flashes of wit and humour give only a momentary pleasure, but no solid entertainment.

“Mr. Serjeant Davy was another of Mr. Murphy's old friends: they were concerned together at the Wells election, and consequently had long been acquainted with each other. Mr. Murphy used to say, Serjeant Davy was a man of strong natural capacity, but had not received a finished education. Before he applied to the law, he had been a druggist at Exeter. But as genius, talent, and application are irresistible machines, he gained a great deal of practice, and was well heard in the courts.

“I have had many opportunities of ascertaining how Mr. Murphy, during his career as a Barrister, was considered amongst his brethren of the law: and I have found that this walk of his life was so pure, so friendly, so social, so communicative, and so enviable, that in his latter days, and in his private reflections, he must have drawn from it no common consolation.

“When he was not worried by the cares of life, he passed his days as a scholar and a gentleman, and was admirably formed for social conversation. He never took the lead in company: he never shewed himself off, as it is called; but rather courted attention by a modest civility of deportment. When, however, he had formed a serious opinion upon any subject which he thoroughly understood, no power in that case would make him give it up. His conversation was never as-

sociated with licentious freedoms or any sorts of oaths. Nothing he disliked more than vulgarities. His social life was an example of morality. Many of his private hours were employed in extracting from authors precepts of moral philosophy; and it is a proof that he applied to these from his pure love of them; as although he has recorded in his memorandum-books a large collection upon this subject, yet it does not appear that he ever intended to publish it. It was merely a fond for enlarging his own stock of intellectual amusement. When the season was fair, he would, to the last, take that necessary refreshment which the contemplative mind particularly wants. He would take long walks in the evening, and call on his neighbours. In his attendance at Guildhall as Commissioner of Bankrupts, he was very assiduous. His being content with such an office bespoke the disposition of his mind; an office which no one could discover that he thought below his merit. His lawsuits, it must be acknowledged, were not always necessary; and they were very harassing and vexatious to his mind. With a temper much disturbed by these suits, and a constitution enfeebled by some severe attacks, he appeared abroad rather negligent in his person, and in a mood of thoughtfulness: but, on the approach of a friend, he would brighten up, and discover that he had a natural power of overcoming care. To see him in a morning in his study was to find him looking to the greatest advantage. No man was ever more comfortable at home; but abroad his appearance might have induced an opinion that he experienced a want of the comforts of life.

“In his domestic arrangements he was advantageously conditioned: he

he possessed the first and second floor of a very pleasant neat house, where there was a long gravel walk in the garden; and though his library had been very much diminished, yet in the remaining part he took care to reserve Elzevir's edition of the Classics. Mrs. Mangeon (the mistress of the house) was a neat and intelligent woman, and Mr. Murphy secured her friendship by giving her son a presentation to Christ's Hospital. Anne Dunn, his own servant-maid, was a most excellent servant, honest, faithful, and attentive. So that what with the services he had rendered to the mistress of the house, and what with the intrinsic fidelity of his female domestic, he could put the whole of the family into a state of requisition, and command an elegant table, as well as ready attendance, upon any particular occasion.

"Such was the condition of a man of genius and an author in the decline of a long life, and in a country at the highest pitch of grandeur and wealth:—but it must be remembered, that the comforts he possessed were not derived from the profits of literature. In the emphatic words of Dryden, 'It will continue to mark the ingratitude of mankind, that they who teach wisdom by the surest means shall generally live poor and unregarded; as if they were born only for the public, and had no interest in their own well-being, but were to be lighted up like tapers, and to waste themselves for the benefit of others.'

"The following is the amount of his certain income during the last year of his life.

"From *Mrs. Margaret Plunkett*, two hundred pounds.

"As Commissioner of Bankrupts, about one hundred and forty pounds.

"From the nett produce of his pension, one hundred and sixty pounds.

"Sometime after his conclusion of the *Life of Garrick*, as if he then proposed to wind up all his worldly concerns, he wrote the following letter to me.

'I long much to see you; and that no mistake should happen, I wish you would favour me with a penny-post letter on the day before you can find it convenient to come this way. I have much to read to you: I have turned my thoughts to myself, and have almost finished a rough draught of my own life. When I have read it to you, I propose to draw it out fair, and have it sealed up in your possession, together with my will, and then I shall say, that all my cares are over. Adieu, my dear friend.'

"From some cause or other which I do not now recollect, he never read this rough draft to me, but brought to me, sealed up, what he called his life, being a small packet in size. This he left with me for some time, perhaps half a year, and then asked for it, and received it back: and this was all he ever said or did upon the subject of his life, or his will, until within five weeks of his dissolution.

"Before the approach of his last winter, Mr. Murphy had not discovered in his appearance any particular change. His appetite, his strength, and his intellect were much in the same condition they had been for some time past. He had restricted himself to a limited portion of wine, and during the winter had been more constantly at home.

"In the spring before his death, returning from dinner in Lincoln's-Inn, he, by some accident, had a fall in Russell-Court. An unknown gentleman saw him surrounded with a crowd: he kindly put him into a coach, and would have accompanied him home, but was not permitted.

mitted. A few days afterwards he politely called on him, and his visit was very gratefully received. He experienced, in his latter years, an occasional and irregular debility. But though it was neither regular nor constant, I thought the circumstance demanded particular attention. Whenever he dined with me, I saw the necessity of either walking with him to the top of St. James's street, where he took a coach, or of putting him into a coach at my own door, and giving strict charge to the coachman about him.

"His decay was gradual, and therefore scarcely from one time to another distinguishable: it was like a pile of ruins, which were constantly in our view, and where the custom of seeing the object becomes so familiar as to prevent a detection of its gradual alteration. But I thought about the month of February 1805 that some change had been wrought in him through the winter. There was a quickness in his aspect, a debility in his action, an exertion in his breathing, a distress in his countenance, a thinness of body, and swellings of his ancles. He called to dine with me; and after having settled that point, and left a half-pint decanter, in order that he should take no more than his stipulated quantity of wine, he ordered the coachman to drive to the Percy Coffee-house, and afterwards returned to dinner. I think he dined with me two or three times only after this, when the change in him became still more apparent, but he uttered not the least complaint. There was nothing of that nature in his composition—nothing about him either timid or pitiable. His mind was irascible, but never querulous; he never called upon any man's pity to any circumstances of his life, but left the emotions to find their own way.

"His appetite, which was always small, was now almost gone. He began to confine himself at home, and watched with anxiety the weathercock's turn from the east.

"He now began to be conscious of his situation; and having debated with himself upon the necessary provisions that were to be made, for the consolation of his present feelings, to be carried into effect, he called up his resolution, and went about them in earnest. His plan required money; he sold his *Tacitus* instantly, for less than half the sum he had been frequently offered for the copy-right. He sold it for one hundred and fifty pounds ready money, and was to have corrected the press in reprinting it into the bargain. He revised but few of the sheets: his powers now gave way, and would not allow him to proceed.

"He paid his last visit, in a post-chaise, attended by the mistress of the house where he lodged, to his favourite haunt at Richmond, where he had repeatedly retired to complete his literary undertakings. He went up to the room he had always occupied upon such occasions; and he found that the old and respectable landlord of the Talbot inn was gone before him. He returned home in a very pensive mood to dinner.

"He very soon after ordered a coach, and set off by himself to the Hammersmith Coffee-house. He sent for the sexton, directed him to open his mother's grave, and appointed a time with that officer of death, when he would be there again, in which he was very exact. He was led to the church, and descended into his mother's tomb. By another appointment, he went to see that the new stone he had ordered to be put over her grave, with the inscription

inscription he had directed to be engraved on it, was completed. He had also ordered a blank stone for himself. He saw, at this time, that it had been done as he directed, and placed close beside that of his mother.

"The following is the inscription he had caused to be engraved on his mother's tomb.

JANE MURPHY,

Daughter of ARTHUR FRENCH, Esq.  
Cloonquin, in the county of Roscommon,  
Ireland.

She departed this life on the 4th February,  
1761, aged 65;

Her remains lie deposited in this vault:  
The best of Mothers—The most affectionate  
of Women.

Farewell!—Farewell!—Farewell!

In the hands of God.

Amen.

"The having carried this intention into effect was a very great consolation to him. It is very remarkable, that he never disclosed to any of the family the intention of his journeys to Hammersmith. Just at this time, as he was rising from his chair, he fell and pitched upon his right hand, and so injured it, that he could but barely sign his name. This obliged him to get an amanuensis.

"He now wrote a letter to the Lord Chancellor Eldon, requesting to resign his Commission of Bankrupts in favour of another person. The Chancellor declined accepting his resignation, and wrote him a most friendly letter, submitting to his further consideration, whether his brother Commissioners would not, most cheerfully, give that assistance which his state of health may require, to a gentleman so justly entitled to their cordial respect; and concluded, by saying, that till he heard further from him, he should not take notice of the intention he had expressed in his let-

ter of yesterday. Mr. Murphy returned his answer, containing the resignation, to the Lord Chancellor.

"Mr. Murphy now closed his last worldly concern, by dictating his will to his amanuensis, and having duly executed it, he enclosed it in a cover, sealed it up, and directed it to me, accompanied by the following letter:

No. 14, Knightsbridge, May 8, 1805:

"DEAR SIR,

"I want very much to see you upon particular business, but cannot come to you, for though I have not changed my lodgings, I am living upon *Totter-down-hill*.

"Pray let me see you. I am, dear Sir, yours sincerely,

"ARTHUR MURPHY."

"This letter, being brought to me by his amanuensis when I was from home, I obeyed it the next morning, and found him, to all appearance, better than I expected. He shewed me his hand, which was swelled; and the maid told me that she was not present when the accident happened, but hearing a noise, she came and raised him up. He looked at her, and asked her if she knew how that was?—No, Sir.—Then I will tell you: it is *Totter-down-hill*.

"He cheerfully disclosed to me all those wishes, respecting his last scene, which I have endeavoured, most scrupulously, to fulfil. He then read the rough draft of his will to me, as follows:

"I, Arthur Murphy, of Queen's-row, Knightsbridge, do hereby make this my last will and testament, in manner and form following:—I resign my soul to God, in hopes of his divine mercy; and, as to my worldly effects, I dispose of them as follows:—I desire that  
'my

'my library of books, and all my pictures, may be sold by auction, and the money arising therefrom, together with what money I may have at my bankers, or in my strong box at home, I give to my executor hereinafter named.

'I give to Mrs. Mangoon all the prints in the room one pair of stairs, and whatever articles of furniture I may have in her house, the bookcase excepted. I give to my servant, Anne Dunn, twenty guineas, if she shall be living with me at the time of my decease: in that case, I give to her all my linen and wearing apparel.—And I do hereby appoint Jessé Foote, Esq. of Dean-street, Soho, sole executor to this my will. In witness whereof I here set my hand and seal, this fifth day of June, 1805.

'ARTHUR MURPHY, L. S.  
'Witness, William Baylie.'

"Having read over the will,—  
'Now,' said he, 'take the pen, and write after me.

'ARTHUR MURPHY,  
'Son of James Murphy,  
'departed this life on the . . . . .  
'in the year . . . . .

'Next to my mother's there is a blank stone, on which the above is to be the introductory part of the subscription.

'The coffin is to be of lead.

'Signed (by himself)

'ARTHUR MURPHY.'

5th May, 1805.

"Having done this, he shewed me what had been engraved on his mother's grave; and then wished me to write something more for his own, and bring it to him the next time I came. 'And now,' said he, looking at me to read my thoughts,

'will you see all this done that I have desired?' I promised him that I would. 'Why then,' said he, 'you shall go with me, and see the situation in Hammer-smith church, when you come here again: and be sure to bring the inscription: but I will have nothing in verse. I should like to be carried upon men's shoulders,' said he. I told him, if he proposed economy, it would prove otherwise; for though eight men were only employed to be bearers at a time, yet it would require three times eight for the whole of the procession. To this he readily assented.

"I could not help remarking to him, how familiarly he had reconciled this subject to himself, and that I was pleased to see it: it was a necessary provision, and which ought not to be viewed so much at a distance as it too generally was. 'I am preparing,' said he, 'for my journey to another region; and now do not care how soon I take my departure.' After having conversed with him about two hours, I retired, leaving him in a perfect state of tranquillity.

"I afterwards visited him every day, and for the first fortnight saw but very little change in him. But his servant told me, that he became every day weaker and weaker, and that he could with difficulty be persuaded to take any nutrition. Indeed, I never saw him sit upright afterwards: I always found him reclined on the sofa, which is a sure token of great debility. When I visited him the second time, he put me in mind of the promise I had made of accompanying him to Hammer-smith church, and of writing his inscription. I made an excuse to put off the journey, by naming some future day; for, as I knew he had done there all that was necessary,

sary, I hoped he might forget it;—and as for the inscription, I had it in my pocket; but as he did not seem to press for it, I did not shew it to him.

“The next time I visited him, Anne Dunn astonished me by saying her master was gone out, alone, in a coach, and had directed the coachman to go to the Percy coffee-house; but he returned within two hours, though much exhausted. I called afterwards at the Percy Coffee-house, but he had not been there: nor had he been there before, when he gave similar directions. This was the last time he went from home. He once more attempted it in a kind of delirium. He said he had ordered a chaise, and that I was expected: he sent Anne Dunn for it: she came back, and told him it would be ready by the time I arrived: he would not wait, but, to her astonishment, he staggered down stairs, and went into the street. She followed him, and with the assistance of his neighbours, took him in, and laid him upon the sofa. When I visited him on the same day, he did not mention to me one single syllable about it.

“At this period, he became more and more indifferent to all external objects, and was found always reclining upon the sofa in a drowsy state. On the fifth of June, I found him so changed, that I had my doubts whether he could survive the day; and he thought so too; as, not recollecting that he had put his will into my possession, or not wishing that the copy of it should lie about, he folded it up, directed it, and left it for me over the chimney-piece. In the state I left him, if I had not known his hand-writing, I should have thought this impossible. The next day, the sixth of June, and the

seventh, he was in bed all day; but, on the eighth, he rose as usual: a chair was got with casters, which he jocularly called his town chariot, and he was rolled into his sitting-room. He rose every day afterwards to the day of his death; and passed from one room to another. He could, at this period, hold a short conversation; but in the midst of it, during an answer to what he had said, he would fall into a state of somnolency.

“With an alteration almost imperceptible, and without the least pain, he thus continued till within two days of his dissolution. His pulse, till the fifth of this month, was as good as any man’s in health: but from that time, when he appeared so very ill, it became irregular, or rather regularly irregular. It would beat ten steady strokes, and then there would be an intermission. His respiration became more hard and laboured, and his deglutition seemed difficult and impeded. He had, when in health, a great defluxion from the trachea, for which he used to smoke a pipe every morning, but this was given up. He had not, to the very last, any complaint that required the skill of a physician or a surgeon. He was frequently heard to describe his own situation, by repeating the two following lines from his favourite poet, Pope.

Taught, half by reason, half by mere decay  
To welcome death, and calmly pass away.

“When I visited him on the eighteenth, about one o’clock, he was in bed, and Anne Dunn, as usual, announced to him my arrival. He put his hand towards me, looked at me, and tried at utterance, but it was inarticulate, and he returned to his former state of somnolency: and yet, at twelve on that day, he counted the clock; and he



he had got out of bed at ten, and told Anne Dunn to look sharp, which was to make his bed quickly. It was visible at one o'clock, that his dissolution was fast approaching; his hands were cold and damp, his jaw was fallen, and his mouth was open. He muttered sounds, but could not be understood; and yet

he drank, but with difficulty, whilst I was there, by being lifted up.— Without any other change than a slight struggle (as if he wanted to breathe on, but could not), a few minutes after four o'clock in the afternoon of the eighteenth of June, 1805, he expired!"

# MANNERS AND CUSTOMS OF NATIONS.

## JOURNEY TO THE GEYSERS.

[FROM MR. HOOKER'S TOUR IN ICELAND.]

“THIS morning (July 13) we had rain and squalls. After breakfast the priest came down, and begged that he might be allowed to accompany me to the Geysers; but this I could by no means consent to, as it was my full intention to proceed to Hecla, and to return by another route. He insisted, however, upon conducting me some way on my road, and especially across a river, which he called Brueraa, and which, owing to the late wet weather, he thought might probably be too deep to cross to-day. He accordingly went to his wardrobe in the church, dressed himself in his best clothes, and was ready to start with us. We continued our journey along the foot of a barren mountain, at no great distance from the marshes. Here and there, indeed, we met with a few stunted birch trees, but no plants that I had not seen elsewhere. Leaving the mountain, and crossing a disagreeable swamp, we, in about two or three hours, arrived at the most fordable part of the Brueraa. There was already a party of horsemen, resting their horses a little, to prepare them for the fatigue of passing through this stream, the bottom of which is exceedingly rocky, and the river itself both wide and deep, but at this

time considered fordable. The packages of fish, wool, &c. were carefully fastened by ropes to the top of the horses' backs, so that they might be as little exposed to the water as possible; and the horses, being then tied in a line one behind the other, all reached the opposite shore in safety, though the smaller ones were compelled to swim. A foal, which was tied by the neck to the tail of its mother, was dragged through, and landed on the other side of the river, more dead than alive, through fear and cold. Our party followed, and was equally fortunate in getting over without any accident (except the wetting of the luggage and ourselves), though the water reached to the middle of the body of our tallest horses. Here, after procuring us some milk from a cottage close by, the priest took his leave of us. In the vicinity of the house were two or three boiling springs, which were used by the inhabitants for the purpose of cooking, as well as for that of washing their clothes. At a few miles distance, on our right, we saw a very considerable column of steam, rising from the marshes, at a place which the guides called Reykum, and which they said I might visit on my way to Skalholt. Our journey now lay  
either

either entirely over a morass, which proved extremely fatiguing to our horses, or upon the edge of it, where a quantity of loose soil had been washed down from the mountains by the torrents, and was scarcely more firm. At about five o'clock in the afternoon we obtained the first view of the mountain called Laugerfell, from which the Geysers spring. It is of no great elevation, and, according to Sir John Stanley, who had an opportunity of ascertaining by admeasurement, rises only three hundred and ten feet above the course of a river which runs at its foot. It is, however, remarkable for its insulated situation; being entirely surrounded by a morass, which extends for a very considerable way in every direction, except towards the north, where it is not separated by an interval of more than half a mile from higher mountains. The north side is perpendicular, barren, and craggy; the opposite one rises with a tolerably gradual ascent, and from this, near its base, we saw a number of columns of steam mounting to various heights. We quickened our pace, and at eight o'clock arrived at the foot of the hill. Here I left my horses, &c. to the care of the guides, and hastened among the boiling springs, happy in the prospect of soon beholding what may justly be considered as one of the most extraordinary operations of nature. The lower part of the hill was formed into a number of mounds, composed of what appeared to be clay or coarse bolus, of various sizes: some of them were yellowish white, but the greater number of the colour of dull red brick. Interspersed with them, here and there, lay pieces of rock, which had rolled, or been washed down by the rains, from the higher parts of the mountain. On these mounds,

at irregular distances, and on all sides of me, were the apertures of boiling springs, from some of which were issuing spouts of water, from one to four feet in height; while in others the water rose no higher than the top of the basin, or gently flowed over the margin. The orifices were of various dimensions, and either covered on their sides and edge with a brownish siliceous crust, or the water only boiled through a hole in the mound, and became turbid by admixture with the soil, which coloured it either with red, dirty yellow, or grey. Upon the heated ground, in many places, were some extremely beautiful, though small, specimens of sulphuric efflorescence, the friability of which was such, that, in spite of the utmost care, I was not capable of preserving any in a good state. I did not remain long in this spot, but directed my steps to the loftiest column of steam, which I naturally concluded arose from the fountain that is alone, by way of distinction, called the *Geyser*. It lies at the opposite extremity of this collection of springs, and, I should think, full half a quarter of a mile distant from the outermost one, which I at first arrived at. Among numerous smaller ones, I passed three or four apertures of a considerable size, but all so much inferior to the one I was now approaching, that they scarcely need any farther notice. It was impossible, after having read the admirable descriptions of the Geyser, given by the Archbishop Von Troil and Sir John Stanley, and, especially, after having seen the engravings made from drawings taken by the last-mentioned gentleman, to mistake it. A vast circular mound (of a substance which, I believe, was first ascertained to be siliceous by Professor Bergman) was elevated a considerable

able height above those that surrounded most of the other springs. It was of a brownish grey colour, made rugged on its exterior, but more especially near the margin of the basin, by numerous hillocks of the same siliceous substance, varying in size, but generally about as large as a molehill, rough with minute tubercles, and covered all over with a most beautiful kind of efflorescence; so that the appearance of these hillocks has been aptly compared to that of the head of a cauliflower. On reaching the top of this siliceous mound, I looked into the perfectly circular basin, which gradually shelved down to the mouth of the pipe or crater in the centre, whence the water issued. This mouth lay about four or five feet below the edge of the basin, and proved, on my afterwards measuring it, to be as nearly as possible seventeen feet distance from it on every side; the greatest difference in the distance not being more than a foot. The inside was not rugged, like the outside; but apparently even, although rough to the touch, like a coarse file: it wholly wanted the little hillocks and the efflorescence of the exterior, and was merely covered with innumerable small tubercles, which, of themselves, were in many places polished smooth by the falling of the water upon them. It was not possible now to enter the basin, for it was filled nearly to the edge with water the most pellucid I ever beheld, in the centre of which was observable a slight ebullition, and a large, but not dense, body of steam, which, however, increased both in quantity and density from time to time, as often as the ebullition was more violent. At nine o'clock I heard a hollow subterraneous noise, which was thrice repeated in the course of a few mo-

ments; the two last reports following each other more quickly than the first and second had done. It exactly resembled the distant firing of cannon, and was accompanied each time with a perceptible, though very slight, shaking of the earth; almost immediately after which, the boiling of the water increased together with the steam, and the whole was violently agitated. At first, the water only rolled without much noise over the edge of the basin, but this was almost instantly followed by a jet, which did not rise above ten or twelve feet, and merely forced up the water in the centre of the basin, but was attended with a loud roaring explosion: this jet fell as soon as it had reached its greatest height, and then the water flowed over the margin still more than before, and in less than half a minute a second jet was thrown up in a similar manner to the former. Another overflowing of the water succeeded, after which it immediately rushed down about three-fourths of the way into the basin. This was the only discharge of the Geyser that happened this evening. Some one or other of the springs near us was continually boiling; but none was sufficiently remarkable to take off my attention from the Geyser, by the side of which I remained nearly the whole night, in anxious but vain expectation of witnessing more eruptions. It was observed to us by an old woman, who lives in a cottage at a short distance from the hot springs, that the eruptions of the Geyser are much most frequent, when there is a clear and dry atmosphere, which generally attends a northerly wind; and we had the good fortune of being enabled to ascertain the accuracy of her observation, the wind, which had hitherto continued to the south-west, having this

this evening veered about to the north. At twenty minutes past eleven on the following morning (July 14), I was apprised of an approaching eruption, by subterraneous noises and shocks of the ground, similar to those which I had felt the preceding day; but the noises were repeated several times, and at uncertain, though quickly recurring intervals. I could only compare them to the distant firing from a fleet of ships on a rejoicing day, when the cannon are sometimes discharged singly, and sometimes two or three, almost at the same moment. I was standing at the time on the brink of the basin, but was soon obliged to retire a few steps by the heaving of the water in the middle, and the consequent flowing of its agitated surface over the margin, which happened three separate times in about as many minutes. I had waited here but a few seconds, when the first jet took place, and this had scarcely subsided before it was succeeded by a second, and then by a third, which last was by far the most magnificent, rising in a column that appeared to us to reach not less than ninety feet in height, and to be in its lower part nearly as wide as the basin itself, which is fifty-one feet in diameter. The bottom of it was a prodigious body of white foam; higher up, amidst the vast clouds of steam that had burst from the pipe, the water was seen mounting in a compact column, which, at a still greater elevation, burst into innumerable long and narrow streamlets of spray, that were either shot to a vast height in the air in a perpendicular direction, or thrown out from the side, diagonally, to a prodigious distance. The excessive transparency of the body of water, and the brilliancy of the drops, as the sun shone through them, considerably

added to the beauty of the spectacle. As soon as the fourth jet was thrown out, which was much less than the former, and scarcely at the interval of two minutes from the first, the water sunk rapidly in the basin, with a rushing noise, and nothing was to be seen but the column of steam, which had been continually increasing from the commencement of the eruption, and was now ascending perpendicularly to an amazing height, as there was scarcely any wind, expanding in bulk as it rose, but decreasing in density, till the upper part of the column gradually lost itself in the surrounding atmosphere. I could now walk in the basin to the margin of the pipe, down which the water had sunk about ten feet, but it still boiled, and every now and then furiously, and with a great noise, rose a few feet higher in the pipe, then again subsided, and remained for a short time quiet. This continued to be the case for some hours. I measured the pipe, and found it to be exactly seventeen feet over, and, as I have before mentioned, situated in the very centre of the basin, which was fifty-one feet in diameter. The pipe opens into the basin with a widened mouth, and then gradually contracts for about two or three feet, where it becomes quite cylindrical, and descends vertically to the depth, according to Povelsen and Olafsen, of between fifty and sixty feet. Its sides are smooth, and covered with the same siliceous incrustation as the basin. It was full twenty minutes after the sinking of the water from the basin, before I was able to sit down in it, or to bear my hands upon it without burning myself. At half past two o'clock it was again nearly filled, the water having risen gradually, but at intervals, attended every now and then with

with a sudden jet, which, however, did not throw it more than two or three feet higher than the rim of the basin. A few minutes after, there was a slight eruption, but the greatest elevation to which the water was ejected, was not above twelve feet. At four o'clock in the afternoon my guide was witness to another, while I was away. I had been visiting the other hot springs, and amongst them, that which Sir John Stanley calls the Roaring Geyser, in which, though the water rose and fell several feet at uncertain intervals, and was frequently boiling with a loud and roaring noise, I still did not perceive that it ever flowed over the margin of the aperture. Its pipe or well does not descend perpendicularly, but, after going down some way in a sloping direction, seems to continue in a nearly horizontal course. Around its mouth lies a considerable quantity of red earth, or bolus, and on one side of it I observed, what appeared to me, a curious mineralogical production: it was imbedded in a hard kind of rock; but was of itself exceedingly brittle, and apparently fibrous; looking much like asbestos, but materially differing from that mineral in its extremely fragile nature. On going to the foot of the hill, near the spot where the waters of the Geyser join a cold stream, among the numerous hills which the heated water had formed, I met with some uncommonly beautiful specimens of incrustations. Every blade of grass and every leaf of moss that was washed by these waters, was clothed with a thin covering of the same siliceous substance as the great basin was composed of, but of so delicate a nature that it was scarcely possible, even with the utmost care, to bring any of them away perfect. I remarked, in particular, a *Juncus*

*mannia (asplenoides)* so beautifully coated with this incrustation, that it looked as if it were a model of the plant in plaster of Paris. One specimen was so protected under the shelter of larger plants incrustated together, that I was able to convey it in safety to Reikevig. The plants I met with by the side of the river, which I had not remarked before, were *Carex Bellardi* and a new species, *Koenigia islandica* in great profusion, and *Funaria hygrometrica*. Leaving the river, I walked over several vast mounds of red earth, at the north end of the Geyser, in my way to the top of the mountain. Here and there a boiling spring was forcing its turbid and discoloured waters through holes in the surface. Some were completely in the thick muddy state of a puddle, and were bubbling, as any glutinous substance would do over a fire. In many places was heard a rumbling noise, like the subterraneous boiling of water, although there was no orifice near, by which the fluid could make its escape. On these spots, which were so much heated by subterraneous streams, that I could scarcely bear my hands upon the ground, I found a great profusion of *Riccia glauca*, growing in patches, and extending almost uninterruptedly over a space of ten or twelve feet in diameter. The soil for more than half way up the mountain was composed of a coarse reddish kind of earth, intermixed with some other of a dirty yellow colour, with small intervals of hard rock, and with this terminated the highest of the hot springs, which, however, was but a feeble one. Thence to the summit the mountain was entirely formed of a loosely laminated rock, whose strata seemed to lie in almost every direction, but chiefly vertically. There was no appearance whatever

of any part of the hill having been in a state of fusion. Many of the strata were still in their original bed, and the pieces which had fallen from them had their edges very sharply defined, and had broken off in lamina, of about an inch in thickness. The stone is extremely hard and compact, of a rusty brown colour, in some specimens more inclining to grey, and with a perfectly smooth and flat surface. Sir John Stanley supposes that its substance is chiefly argillaceous, and that, like every other stone in the island, it has undergone some change by fire. I met with nothing remarkable on the summit, where there is a considerable extent of flat surface, almost covered with *Trichostomum canescens*, intermixed with the *Lichen islandicus*; and from each extremity of this plain arises a conical eminence, unequal in height, of the same nature as the rock it springs from, and producing no plants that are not to be seen equally abundant in various other parts of the country. The most scarce were *Trichostomum ellipticum*, which grows in tolerable plenty upon the dry rocks, and *Andraea Rothii*, which, though it has been found in but few countries, is very abundant in Iceland. The top of Laugerfell afforded me a very commanding prospect. Just beneath me, facing the south-east, was to be seen, at one view, the steam arising from upwards of a hundred boiling springs, among which the Great Geyser, from its regularly circular figure, looked like an artificial reservoir of water. A little stream at the bottom of the hill formed the boundary to these, beyond which was an extensive morass, whose sameness was only interrupted by the rather wide course of the river Hvítá winding through it. The view was terminated, in

that quarter of the compass, by a long range of flat and tame mountains, over which towered the three-pointed and snow-capped summit of Hecla, which rises far above the neighbouring hills, and is, in clear weather, plainly visible, when standing by the Geyser. In the north-east was situated the church and farm of Haukardal, and a continuation of the morass, bounded by some lofty jökuls of fantastic shapes. In the north-west, at a small distance from the place where I stood, and, indeed, only separated from it by a narrow portion of the morass, with a small river winding through it, rose another chain of mountains, thinly covered with vegetation, beyond which some jökuls showed their white summits. In the south the morass was extended almost to the coast, and looked like a great sea, having three or four rather lofty but completely insulated mountains, with flat summits, rising from its summits. It was my custom, during my stay in this place, to cook my provision in one or other of the boiling springs; and, accordingly, a quarter of a sheep was this day put into the Geyser, and Jacob left to watch it, holding it fastened to a piece of cord, so that, as often as it was thrown out by the force of the water (which very frequently happened), he might readily drag it in again. The poor fellow, who was unacquainted with the nature of these springs, was a good deal surprised, when, at the time he thought the meat nearly cooked sufficiently, he observed the water in an instant sink down, and entirely disappear; not rising again till towards evening. We were therefore obliged to have recourse to another spring, and found that, in all, it required twenty minutes to perform the operation properly. It must be remembered, however,

However, that the quarter of an Icelandic sheep is very small, perhaps not weighing more than six pounds, and is, moreover, extremely lean. I do not apprehend that longer time would have been necessary to have cooked it in an English kitchen; for the hot springs in Iceland, at least such of their waters as are exposed to the air, are never of a greater heat than  $212^{\circ}$  of Fahrenheit; so that, when I hear travellers speaking of having boiled eggs in two minutes in such springs, or of having cooked their meat in a proportionably short space of time, I do not doubt the fact; but I must be allowed to suspect, that their victuals would not be dressed to my taste. The next eruption of the Geyser, which took place at half past nine, was a very magnificent one, and preceded by more numerous shocks of the ground and subterraneous noises than I had yet witnessed. The whole height to which the greatest jet reached, could not be so little as a hundred feet. It must be observed, however, that I had no instruments with me for measuring elevations, and therefore could only judge by my eye; Jacob and myself watching at the same time, and each giving his estimate. The difference between us was but trifling, and I always took the lowest calculation. My method was, to compare the height of the water with the diameter of the basin, which I knew to be fifty-one feet, and this jet was full twice that height. The width of the stream is not equally easily determined by the eye, on account of the steam and spray that envelope it: in most instances, not more, probably, than eighteen or twenty feet of the surface of the water is cast into the air; but it occasionally happens, as was the case now, that the whole mass,

nearly to the edge of the basin, is at once heaved up: all, however, is not spouted to an equal height; for the central part rises the highest, but, having gained some elevation, the spray divides, and darts out little jets on every side, that fall some way over the margin of the basin. After this last discharge, the water subsided about fifteen feet in the pipe, and so remained some time, but in about two hours the funnel was filled to within two feet of the edge. As often as I tried the heat of the water in the pipe, I always found it to be  $212^{\circ}$ ; but, when the basin was filled, on immersing the thermometer as far from the margin as I could reach with my arm, I found the heat never more than  $180^{\circ}$ ; although in the centre it was boiling at the same time. It seems probable that the height to which the Geyser throws its waters may have increased in the course of a few years; as, when Sir Joseph Banks visited Iceland in 1772, the greatest elevation to which the water rose was ascertained to be sixty feet; while in the year 1789 its height was taken by a quadrant, by Sir John Stanley, and found to be between ninety and one hundred feet, and this day, if I am not mistaken, it was still greater. Povelson and Olafson were probably deceived, when they imagined they saw the loftiest jets reach to the height of sixty toises, or three hundred and sixty feet. Previous to the last irruption, Jacob and myself amused ourselves with throwing into the pipe a number of large pieces of rock and tufts of grass, with masses of earth about the roots, and we had the satisfaction to find them all cast out at the eruption, and many of them fell ten and fifteen feet beyond the margin. Some rose considerably higher than the jets which forced



forced them up; others fell down into the basin, and were cast out again with the next discharge. The stones were mostly as entire as when they were put in; but the tufts of grass and earth were shivered into numerous small black particles, and were thrown up by the first jet in quick succession, producing a very pretty effect among the white spray. This whole day had been fine, with but little rain.

"At one o'clock this morning (July 15) there was an eruption of the Geyser, which was repeated at half past three, and again at a quarter before eight, and at half past nine; after which, the fountain continued to spout water about every two hours. All the eruptions were attended by the same circumstances as those of yesterday, and were preceded by similar tremblings of the ground and subterraneous noises; but none of them threw the water to any great elevation; the highest not appearing to exceed fifty feet. Close to the edge of many of the hot springs, and within a few inches of the boiling water, in places that are, consequently, always exposed to a considerable degree of heat, arising both from the water itself and the steam, I found *Conferva limosa* Dillw. in abundance, forming large dark green patches, which easily separated and peeled off from the coarse white kind of bolus that they were attached to. In a similar situation, also, I met with a new species of *Conferva* (or rather *Oscillatoria* of Vaucher), of a brick-red colour, covering several inches of ground together, and composed of extremely minute unbranched filaments, in which, with the highest powers of my microscope, I was not able to discover any dissepiments. The margin of one of the hot springs, upon a white bolus,

which was in a state of puddle from its mixture with the heated water, afforded me the finest specimens of *Jungermannia angulata* I ever saw, growing thickly matted in such great tufts, that I could with ease take off pieces of five or six inches in diameter. The underside of these patches had very much the appearance of purple velvet, owing to the numerous fibrous radicles of that colour which proceeded from the base of the stems, and suffered themselves to be detached, without difficulty, from the soil they had grown upon. In water, also, of a very great degree of heat, were, both abundant and luxurious, *Conferva flava* Roth, and a new species allied to *C. ripularis*. After a day, almost the whole of which had been showery, with the wind in the south-west, a fine but cold morning (July 16), attended with a northerly wind, afforded me a most interesting spectacle, the idea of which is too strongly impressed on my mind, ever to be obliterated, but with memory itself. My tent had been pitched at the distance of three or four hundred yards from the Geyser, near a pipe or crater of considerable dimensions, in which I had, hitherto observed nothing extraordinary. The water had been almost constantly boiling in it, and flowing gently over the mouth, thus forming a regular channel, which, I believe, had never ceased running during the whole time of my stay. My guide, however, had informed me, that sometimes the eruptions of this spring were very violent, and even more remarkable than those of the Geyser, and it was on this account that he had placed the tents so close to it. At half past nine, whilst I was employed in examining some plants gathered the day before, I was surprised by a tremendously loud

load and rushing noise, like that arising from the fall of a great cascade, immediately at my feet. On putting aside the canvass of my tent, to observe what could have occasioned it, I saw within a hundred yards of me a column of water rising perpendicularly into the air, from the place just mentioned, to a vast height; but what this height might be, I was so overpowered by my feelings, that I did not, for some time, think of endeavouring to ascertain. In my first impulse I hastened only to look for my portfolio, that I might attempt, at least, to represent upon paper what no words could possibly give an adequate idea of; but in this I found myself nearly as much at a loss as if I had taken my pen for the purpose of describing it, and I was obliged to satisfy myself with very little more than the outline and proportional dimensions of this most magnificent fountain. There was, however, sufficient time allowed me to make observations; for, during the space of an hour and half, an interrupted column of water was continually spouted out to the elevation of one hundred and fifty feet, with but little variation, and in a body of seventeen feet in its widest diameter; and this was thrown up with such force and rapidity, that the column continued to nearly the very summit as compact in body, and as regular in width and shape, as when it first issued from the pipe; a few feet only of the upper part breaking into spray, which was forced by a light wind on one side, so as to fall upon the ground at the distance of some paces from the aperture. The breeze also, at times, carried the immense volumes of steam that accompanied the eruption to one side of the column of water, which was thus left open to full view, and we could clearly see

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its base partly surrounded by foam, caused by the column's striking against a projecting piece of rock, near the mouth of the crater; but thence to the upper part, nothing broke the regularly perpendicular line of the sides of the water-spout, and the sun shining upon it rendered it in some points of view of a dazzling brightness. Standing with our backs to the sun, and looking into the mouth of the pipe, we enjoyed the sight of a most brilliant assemblage of all the colours of the rainbow, caused by the decomposition of the solar rays passing through the shower of drops that was falling between us and the crater. After the water had risen to the vast height above described, I ventured to stand in the midst of the thickest of the shower of spray; where I remained till my clothes were all wetted through, but still scarcely felt that the water was warmer than my own temperature. On the other side of the spout, the column was so undivided, that, though upon the very brink of the crater, within a few inches of the water, I was neither wetted nor had I a fear of being scalded by any falling drops. Stones of the largest size that I could find, and great masses of the siliceous rock, which we threw into the crater, were instantly ejected by the force of the water; and though the latter were of so solid a nature, as to require very hard blows from a large hammer, when I wanted to procure specimens, they were, nevertheless, by the violence of the explosion, shivered into small pieces, and carried up with amazing rapidity to the full height of, and frequently higher than, the summit of the spout. One piece of a light porous stone was cast at least twice as high as the water, and falling in the direction of the column, was met by it, and

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a second time forced up to a great height in the air. The spring, after having continued for an hour and a half spouting its waters in so lofty a column, and with such amazing force, experienced an evident diminution in its strength: and, during the space of the succeeding half hour, the height of the spout varied, as we supposed; from twenty to fifty feet; the fountain gradually becoming more and more exhausted, and sometimes remaining still for a few minutes, after which it again feebly raised its waters to the height of not more than from two to ten feet, till, at the expiration of two hours and a half from the commencement of the eruption, it ceased to play, and the water sunk into the pipe to the depth of about twenty feet, and there continued to boil for some time. I had no hesitation in pronouncing this to be, what is called by Sir John Stanley, the *New Geyser*; although the shape and dimensions of the crater differ somewhat from the description given by that gentleman. But, after a lapse of twenty years, it is not to be expected that, with two such powerful agents as fire and water, constantly operating, a spot like this should be suffered to remain without any alteration. The outline of the aperture is an irregular oval, seventeen feet long and nine feet in width; on only one side of which there is a rim or elevated margin, about five or six feet in length and one foot high; but the ends of this are ragged, as if it had formerly been continued the whole way round the crater, and it is therefore probably a portion of the same wall, which Sir John Stanley describes as nearly surrounding the basin at the time he was there, and as being two feet high. The well is formed by no means with the almost mathemati-

cal accuracy of that of the *Geyser*, but is extremely irregular in its figure, and descends in rather a sloping direction; its surface being composed of a siliceous crust, of a deep greyish brown colour, worn smooth by the continued friction of the water. For several yards, in one direction, in the neighbourhood, where the water flows off in a shallow stream, the bed of this is composed of a thin white covering, of a siliceous deposit. During the eruption of the new Geyser, I could not perceive that it in any way affected the neighbouring springs. I remarked no particular sinking of the water in any, nor did I observe that any boiled more violently than usual. The Geyser, which was filled almost to the rim of the basin, previous to the eruption of the new Geyser, from which it is distant about four hundred yards or more, remained, as nearly as possible, in the same state of fulness during, and after, the eruption. Sir John Stanley also observed the same circumstance, so that in all probability their subterraneous streams are quite independent of each other. We were informed by the people living in the neighbourhood, that in the spring of last year (1808), a violent shock of an earthquake was felt, which made an aperture for another hot spring, and caused the whole of them to cease flowing for fifteen days. The ground, at that time, appeared to be lifted up some feet; a house was thrown down, and all the cattle which were at pasture ran home to the dwellings of their masters, and showed symptoms of the greatest terror. Earthquakes in this quarter of the country are not unfrequent. One happened but a short time previous to the visit of Sir John Stanley, who conjectures that this probably enlarged the cavities, communicating

monicaing with the bottom of the pipe of the new Geyser; for it is to be remarked, that till then (June, 1789) that spring had not played for a considerable length of time with any degree of violence. A party of horsewomen, well dressed, and riding, some astride, and some on the saddles of the country, who were passing the Geysers, and directing their course towards Haukardal, reminded me, that service was about to be performed at the church of that place this morning, and therefore, as I saw no probability of a second eruption of the new Geyser immediately taking place, I resolved to leave it, and hear an Icelandic sermon. Accompanied by Jacob and my guide, I crossed a swamp which lay between us and the church; but, previously to entering it, we called upon an old lady, a rich farmer, who lives in the immediate vicinity, and whose hospitality is celebrated by Sir John Stanley. She was eighty-five years of age, and still enjoyed good health, though her faculties were much impaired, so that she scarcely recollected the visit of my countryman. A young man, however, whom she had adopted as her son, remembered him well. Her house, at this time, scarcely deserves the praises which Sir John has given it; for it was as dirty as any I had yet entered, and the closeness of the bed-room, into which we were ushered, was far from pleasant, and, I should suppose, equally far from wholesome. Yet in these confined rooms, where the external air is scarcely admitted, do the natives spend their time during the long winters, except, indeed, such of it as is necessarily employed in looking after their cattle; and heft, too, by excluding the air, and by means of thick walls and a roof of turf, they are enabled to live

without a fire in their sitting room throughout the year. I heard the riches of the inhabitants of Haukardal much talked of; they consisted of ten cows, five rams, and about an hundred sheep. An Icelandic churchyard is often in part inclosed by a rude wall of stone or turf; and the arch, excepting only as much as is occupied by the building, is thinly sprinkled over with elevated banks of the green sod, which, alone, serve to mark the burial-places of the natives. This spot, previous to the arrival of the minister, on a sabbath, affords a most interesting spectacle. Numerous parties of men, women, and children, who had come on horseback, and in their best apparel, were continually saluting each other; and any person, that had been absent from the place of worship for a more than usual length of time, either through illness or any other cause, was kissed by the whole congregation. As they were little accustomed to see strangers, they all flocked around us, presenting us with milk and cream from the neighbouring farm, and asking us an hundred questions. Many were surprised at our having come so far for the sake of seeing the Geysers, which they are accustomed to look at with the utmost indifference.—The dress of the female children was like that of their parents, and some of them had even an equal number of silver ornaments; most of them wore the *faldur*, but some of the younger ones had, instead of it, small caps of black velvet or cloth, which fit close to the head, and are tied under the chin, ornamented with gold lace, and frequently terminated by a silver gilt knob. Caps like this used formerly to be much more generally worn by the children than they are at present; and it is to be remarked, that not

only the cap, but the *faldur* also, when the wearer is on a journey, is carefully wrapped round with two or more chequered silk handkerchiefs, being preserved with the greatest care, as constituting a part of their dress, of which the Icelanders are particularly proud. Before the commencement of service, the priest read prayers to a woman after child-birth, who was sitting on a low stool at the church door: and this short ceremony was concluded by his laying his hands on her as she knelt. During the whole time the woman seemed very much affected, and some who were standing round were extremely attentive. The church which (like most others in the island, fronted the west) was similar to the one at Thingevall, but more commodious, in having benches instead of chests to sit upon. At the time I entered, the priest was at the altar, dressed in a long black gown of wadmál; buttoned from top to bottom in the front, black worsted stockings, and seal-skin shoes: his hair was hanging down a great length, reaching to his shoulders. The women and young children alone sit in the body of the church, the men being ranged round the altar, near which, also, was reserved a place for Jacob and me. It is these latter only that sing, if that monotonous and inharmonious noise which I heard on entering may be called singing, where every one strained his throat to the utmost, and gave out at the same time a most powerful effluvium of tobacco juice, which, mixing with the natural fish-like smell of the natives, rendered my stay among them, in such a confined place, by no means agreeable. As soon as the singing had ceased, one of the congregation put upon the priest a white surplice of unbleached linen, and over that a

robe, on which was cross-stitched or broidered a large figure of a cross. He then chanted some prayers from a book, which, with more singing, performed sometimes sitting and sometimes standing, lasted about half an hour. Upon the altar lay a large snuff-box, a cup, and plate of silver, with a bottle of white wine, and a box of red wafers, not at all differing from such as are used in other countries to seal letters with. Of the first mentioned of these articles the priest made frequent use; with the rest he prepared, during the time of singing, for performing the ceremony of the sacrament. He then ascended the pulpit, and, after repeating a few more prayers, delivered, in rather a quick but impressive manner, a sermon of about half an hour's length, after which the sacrament was administered to the congregation, kneeling at the altar; to the men first, and then to the women; the priest putting a wafer and some wine into the mouth of every individual, and repeating at the same time a short prayer. This ceremony terminated the service, except the blessing and salutation, which were bestowed separately upon every one of the congregation, as well male as female. As soon as the whole was concluded, the priest spoke to us, apparently much pleased at seeing strangers in his church; and, on hearing that we were about to set off for Skalholt, in our way to Hekla, he begged that we would call at his house, which lay in the road, and would permit him to accompany us to that place, which we thankfully promised to do. Between the church of Haukardal and the hill Laugarfell, the morass abounded in the beautiful little *Ranunculus lapponicus* in full flower, while in the drier parts grew *Carex Bellardi*; forming a considerable

a considerable portion of the herbage. At the northern foot of Laugarfell the minute *Konigia islandica* was in great profusion and perfection, as was also *Eriophorum Capitulatum* of Schrader, a species lately discovered in Sweden. On my return to the tents, I found both the

Geyser and the new Geyser in pretty nearly the same state of fulness as when I left them, and they continued so till about eight o'clock; when there was an extremely fine eruption of the former. The day had been clear but cold, with the thermometer at 41°.

### DESCRIPTION OF HAMBURGH,

[FROM M. DE BOISGELIN'S TRAVELS THROUGH DENMARK AND SWEDEN.]

THE gates of Hamburgh are shut as early as in a garrison town, being never open later than four o'clock in winter, and half past nine in the middle of summer: it is therefore necessary to arrive in this city during the day. This practice is adopted to prevent the merchants from residing constantly in their country-houses. Altona being scarcely an English mile from Hamburgh, workmen, journeymen, &c. would pass the whole of Sunday at or in the neighbourhood of that town; every thing being cheaper in the Danish territories than in Hamburgh, and consequently houses would let at a much lower rate, and be a great disadvantage to householders, a considerable part of whose riches consist in the exorbitant profits they make by letting apartments.

Hamburgh is very dirty, and almost always damp. The streets are ill paved, narrow, and in many parts made still more inconvenient by the houses projecting forward. The latter are built both of brick and wood, and the generality have pointed roofs, forming a triangle in front. The walls are thick; the win-

dows narrow, and so very numerous, with so small a space between them, that those belonging to the lower class might very well be mistaken for manufactories. This indeed is frequently the case in other parts of Germany.

The city is lighted by 1473 reflecting-lamps, which are not sufficiently numerous for the size of the town; people of fortune, however, and rich-merchants (the number of whom is very considerable) always place two additional ones at their doors. The inhabitants of Hamburgh do not amount to more than one hundred and ten thousand, near twelve thousand of whom are Jews. We indeed heard, during our residence in that city, that it contained above one hundred and thirty thousand; but our informants either wished to deceive us, or were deceived themselves.

The only public walk within the gates is a kind of mall between rows of trees, on the edge of a large basin, formed by the river Alster, called Binnen Alster. This is much longer than it is represented to be by Mr. de Reisbeck, since it requires more than three quarters of an

an hour to make the tour, it being impossible to skirt it close to the water, there being no quay in several places, particularly on the side near the house of corrections. Imagination cannot form a more beautiful spot than this small lake on a fine summer's evening, when it is covered with such numbers of boats, that it has all the appearance of a floating city.

"Hamburg is doubly inclosed on the Holstein side. The ramparts are planted with trees, kept with peculiar neatness, and form two roads, the one for horsemen and carriages, and the other for foot passengers: they extend almost entirely round the town, and command most beautiful points of view, particularly where the Alster on one side, and the bason on the other, form a water scenery truly picturesque. It is rather remarkable, that the Elbe, the only river supposed to be of any consequence by those who never visited Hamburg, should make no part of so delightful a prospect. The monument erected to the memory of Professor Busch, who departed this life on the 5th of August 1800, is a great ornament to this walk, and deserves to be particularly mentioned. It is placed in a conspicuous spot on the rampart, and the expense was defrayed by the Society for the Encouragement of Arts and useful Trades, and the voluntary subscription of several inhabitants of Hamburg. Dr. Meyer, secretary to the society, pronounced an harangue on the erection of this monument, which is executed from the design of the architect Areus, and in the form of an obelisk twenty feet and a half in height. It is composed of granite and brown freestone of the country, and was the work of two Hamburg artists, Mr. Beckmann and Mr. Witgref. The

ornaments are in bronze and white marble; the former executed by Mr. Wolf of Cassel, and the latter by Mr. Witgref. The inscription over the bust is as follows: *To John George Busch, the Friend of his Country.* The obelisk is likewise ornamented by allegorical basso-relievs, representing Civic Love, and other personages, holding urns, and offering libations. Underneath is inscribed, *by his grateful Fellow Citizens, 1801.* The basso-relievs are at present only in plaster, but are to be executed in bronze. There are also two other bronze tablets, surrounded by suitable decorations, with an inscription, marking the year of the birth and death of the citizen to whose honour this monument is erected.

"The police of Hamburg is extremely good; for, besides a considerable guard constantly posted in the streets, there are men continually passing and repassing, armed with long-staffs, furnished with iron, which they strike with much violence on the pavement; consequently, no passenger can be attacked with impunity during the night, or call in vain for assistance. The police is also admirably understood in cases of fire, which, indeed, is particularly necessary in a town built principally of wood. In consequence of such precautions, there has been no instance for many years of *two* houses being consumed at the same time. A few days before our arrival, a house caught fire; the inside was entirely destroyed, and nothing remained but some ruins and the chimney, which, being blown down the following day, a young woman was killed, and several others wounded. This chimney was known to be in a very ruinous state, but, as the insurers of houses pay much less when that part of the building

is left standing, it was unfortunately suffered to remain; a plain proof that even the most praiseworthy institutions are liable to abuses. *Carnibeaux* are prohibited in the streets, and that for the above-mentioned reasons.

"The number of carriages in Hamburg is so great, every merchant in easy circumstances keeping one, that on a fine summer's evening they absolutely form a procession towards the gates of the city. The regulated price for a hired carriage within the walls is six marks, and eight (16*d.* English) for a drive into the country. A single course is only a mark; but, what is very extraordinary, every person who is set down by a friend, either in his own carriage or in a hired one, is obliged to give the coachman something to drink.

"The German theatre is open the whole of the year, and tragedies, comedies, and operas, are alternately performed. This theatre is rather large, with three rows of boxes, unornamented, and without any pretensions to architecture. The price of the boxes is two marks, and that of the pit one. Here you are at liberty to sit, or to stand; and most people keep on their hats. The dresses and decorations are particularly mean, and there is no performance on Saturdays or Sundays. The street leading to the theatre is too narrow to admit of more than one carriage, and even foot passengers find it difficult to pass at the same time. When we visited Hamburg, in 1790, there was a very celebrated actor of the name of Schreuder (since dead), who had the reputation of being the Garrick of Germany; but our ignorance of the language made it impossible to judge of his merit.

"The churches are not much wor-

thy of notice; St. Michael's is the handsomest; it is a new building, and is not too near the houses. The interior, in diameter two hundred and thirty-two feet, forms a kind of cross, the branches of which are nearly equal. It is surrounded by a large gallery. The baptismal font is in the centre of the nave; and a flight of steps conduct to a subterraneous church filled with tombs, amongst which are many family vaults. Dr Benzenberg has lately made different experiments, and astronomical and physical observations, on the tower of this church, thirty-one of which are upon the rotation of the earth, twenty on the resistance of air against falling water, and four hundred and forty on the resistance of the same element against leaden balls of an inch and a half diameter falling from different heights of from ten to three hundred and forty feet, Paris measure. To ascertain the time employed in the fall with still greater precision, Mr. Heyne, who is always eager to promote all useful undertakings, sent to Hamburg the chronometer which belongs to the observatory of Gottingen, and which ascertains the *fierec* or sixtieth part of a second.

"The tower of St. Michael's is three hundred and ninety feet high, and is particularly well calculated for experiments of this nature, the architect Pouin having constructed it in such a manner as to leave an opening on every story, which reaches from the top to the bottom in a perpendicular line; by which means the leaden balls fall without being impeded in their passage. The elevation for these experiments is more considerable by an hundred feet than at Bologna, where Riccioli, two hundred, and Guglielmini, ten years since, made the like experiments.



periments. Sir Isaac Newton also made experiments on the resistance of air, near a century ago, in St. Pauls, London, where, however, the elevation is eighty-five feet less than at St. Michael's at Hamburg.

"The society of Hamburg consists principally of merchants, there being scarcely six noble families in the city. In the year 1790 the Comtesse de Beintheim received company almost every day, but gave no suppers. A formal invitation was necessary to be admitted to these assemblies, which appeared to us rather extraordinary. The merchants' houses are extremely pleasant; they live very expensively, and their tables are served in a style of elegance rarely to be met with in any other city. They give a variety of foreign wines, and have fresh grapes from Malaga in their desserts at all seasons of the year. Their houses are particularly neat, and the profusion of wax lights greater than we ever remarked in any other country. After dinner, and supper, a mark is given to the servant who attends at the door: this is also the custom in some towns in Holland, and in the French colony at Berlin; but is not the case in the noblemen's houses in Hamburg, where, however, card-money is taken, which is not allowed at the merchants.

"The exchange is a very poor building, in a small kind of square, shaded by a few trees: the whole is much too confined for the great concourse of people who frequent it from two to half past three in the afternoon, particularly on post days. The Jews are very numerous, and do a great deal of business. There is a library in this place, termed a commercial one, which, in 1790, contained only about three thousand volumes, none of which were either

scarce or valuable; but within a few years it has made some very important acquisitions, consisting not only of a collection of French authors purchased by the voluntary subscription of several merchants, but of a great addition to the cabinet of medals, which makes part of this library; these belonged to the heir of Mr. Amsink, and were bought by a society of merchants, who opened a subscription for that purpose. The collection consists of a numerous series of Hamburg coins.

"The burgomaster Charles Widow has contributed very much to the improvement of this library, especially whilst he had the office of first inspector of the different schools, having purchased a great number of works of natural history and medicine at the sale of a learned physician.

"An unknown patron has also presented it with a complete collection of the works of all the old physicians: indeed, there are very few libraries so rich in medical books as that at Hamburg; and it is to be hoped they will soon be arranged in proper order. The present apartment being much too confined, senator Cordes, principal inspector of the schools, has formed a plan to enlarge it, by the addition of some of the contiguous buildings. During the short time this gentleman has enjoyed the post of inspector, the *Journal des Savants*, from its first commencement, a great collection of historical works, and the best classical Greek authors, have been added to the library. The minister Henry Jules Witterding has prevailed on the ecclesiastical college of St. Peter's church to present it with sixty ancient manuscripts, and some first impressions, which were formerly carefully preserved in the said church.

"Merchants,

“ Merchants, however rich, attend the exchange in all weathers, and are dressed in the plainest manner. Though numbers of these merchants are in easy circumstances, and some of them rich; there are but very few amongst them with those overgrown fortunes, dignified in France by the title of *millionnaires*.

“ The senate consists of thirty-four members, viz. four burgomasters (three of whom are civilians and graduates with one merchant), four syndics, all civilians; a secretary and a prothonotary, likewise lawyers, twenty-four senators, of whom twelve are merchants, and twelve civilians. The senators are for life and no one can refuse to serve the office, under pain of being banished the city within twenty-four hours. The same penalty is in force for all other public offices. The senate assemble three times a week, in a large plain room, on the ground-floor of the town-hall, which is a very poor building, with some heavy, ill-executed ornaments on the outside: it is situated near the exchange, and the first floor is dedicated to the different offices for the excise on corn, wine, cattle, &c. The receivers are perfectly independent, and subject to no account whatsoever, which makes it impossible to know the exact revenue of the city. It is said, that the citizens, and even the senate, are equally uninformed, which appears a most extraordinary circumstance. It is also difficult to ascertain the amount of the import duties; they are however, in general, extremely moderate, though they are not equal for all countries, France having enjoyed particular privileges ever since the treaty of 1769.

“ Hamburg is supplied with vegetables and other provisions for

daily use from the neighbouring villages; particularly from the district called the Four Countries. Veal comes from the bailiwick of Wintzen, in Hanover, and a great quantity of poultry from the provostship of Neuland. The territory of the Four Countries belongs equally to Hamburg and Lubeck; and each of these cities send a deputation of four senators every year to a small town named Bergdorff, to examine into the state of the country, police, &c. The consumption of coffee in Hamburg is surprisingly great, amounting annually to ten millions of pounds; indeed, the common people appear to live entirely on this liquor, and take it almost every hour in the day. Milk is carried about the streets in pails painted red, which they pretend to say is the only colour which does not give it an unpleasant taste.

“ *Smoked beef*.—Oxen are brought from Holstein, Norway, and different parts of Denmark; Jutland especially furnishes great numbers.—There are three different kinds of beef, which, in 1790, sold for the following prices:—common salt beef three halfpence English a pound; fresh beef three-pence; and smoked beef six-pence: the latter is excellent, but is principally consumed in the territory of Hamburg, except indeed in war time, when great quantities are exported for victualling the shipping. The common people salt their own beef, as do those who employ a great number of hands in manufactories, sugar bake-houses, and other establishments.

“ Literature and arts were at a very low ebb in 1790 at Hamburg; the greater part of the community applying themselves solely to commerce, there were very few towns where science of every kind was so totally

totally neglected. It would, however, be unjust to assert, that Hamburg had never produced men worthy of being distinguished in the republic of letters, and I shall certainly not neglect mentioning some of the most celebrated in the appendix; where a short account of their lives and different works will also be found.— In 1790, there were neither good schools, sculptors, engravers, nor even a tolerable painter in the city of Hamburg. A French bookseller endeavoured to establish a reading-room, but he had so few subscribers, that he was forced to relinquish his plan. It was very extraordinary, that all ideas of science should have been banished from so rich a city, and that French literature should have been so particularly in disrepute. All this, however, is now much changed, and there are great collections of French books, which have been considerably increased since the emigration, which has also contributed to make them sell speedily and well; consequently, French literature is both more cultivated and better understood.

“Inundations are extremely frequent and sudden in Hamburg: the Elbe, indeed, is restrained by a dyke, but this, with the surrounding country, and almost the whole of the city, were overflowed in 1771: a pillar is erected to mark the height of the water, which was wonderful. Towards the end of November 1790, we were witnesses to the Elbe's rising more than twenty feet; the water deluged many cellars, and forced the inhabitants to quit their habitations. Whenever women with child, or sick persons, are obliged to leave these cellars at a minute's warning, those who lodge in the first, second, or third stories, are forced to grant them an asylum.

This custom, though attended with inconvenience, is certainly a very humane one, as it enforces that assistance from the rich, to which the poor have so just a claim. A sudden inundation, which took place on the night of the 21st of March, 1791, did damage to the amount of many millions of French livres.

“*Environs*.—There are very few cities which can boast of such beautiful environs, or that give a higher idea of the riches of the inhabitants: An assemblage of water, woods, groves, walks, with a variety of fine prospects, make Hamburg a delightful residence during summer. Almost all the merchants have expensive country-houses, which they visit as frequently as possible. Those without the Altona gate are in the Danish territory; and among the charming habitations which grace the banks of the Elbe, that of M. M. Poué was, in 1790, reckoned the pleasantest. Strangers should certainly visit the environs, especially on this side of the city, and towards the Alster. We made a short tour from Altona to Flatbeck; the road lies between rows of trees, and we were delighted with the charming gardens and pleasing country-houses which presented themselves on every side. Wandsbeck is without the gate called Steinthor. It is a handsome château, and, though not large, is the finest in that neighbourhood: it belongs to the Comte de Schimmelmann, whose father amassed a considerable fortune in a short space of time in Denmark, where his brother was minister of finances in 1790. The park is pleasant, and, being open to the public, is the fashionable promenade on Sundays and holidays. The road, on these occasions, is crowded with open waggons, vehicles much used in this part of the world, with high wheels, and

and five or six benches across the carriage, which holds ten or twelve persons. Those belonging to people of fashion are hung upon springs.

From Wandsbeck we proceeded to Billwardin. In going thither we crossed the Bille, a narrow but deep river; on the banks of which the houses are built in the Dutch style. One of them belonged to M. de Chapeau Rouge, and is in a lovely situation, commanding a charming prospect. Baron Voght has also a delightful country-house a short distance beyond Altona, in the Danish territories. This gentleman has passed some time in England, where he visited the country most noted for husbandry. He made agriculture his principal study, from which he reaped the greatest advantages on his return to his native country; and improved the soil of, and in the neighbourhood of his estate beyond his most sanguine expectations. His farming knowledge is equalled by his philanthropy; and he has attended so particularly to the hospitals, and other charitable institutions, that they are now upon a very different and infinitely better plan than when we visited them in 1790.

“Mr. Parish’s charming residence is in the same neighbourhood, close to the village called Neuensteden, six English miles and a half from Hamburg. Nothing can possibly be more picturesque than this elegant villa, situated on an eminence commanding the Elbe; and so near that river, as to be able to hail the vessels passing and repassing. The variety and extent of the different points of view, are indeed so beautiful, that the proprietor, whose wishes are equalled by his taste, was induced to fix upon this lovely spot for his favourite residence, and to build a handsome house, where formerly stood a miserable cottage.

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This is surrounded by a domain extending two English miles, which, from being barren and neglected, is now excellently cultivated, cut out into different walks, and planted with a variety of beautiful trees, which already afford a delightful shade. The various embellishments which have taken place in the house and grounds during thirty-six years would be too tedious to particularise; I shall only say, that the stables, which were newly built, and cost forty thousand marks banco, were destroyed by lightning, but were immediately rebuilt at a still more considerable expense.

“The beauty and elegance of this spot are not more formed to attract the visits of a stranger, than the hospitality and politeness of the owner to engage him to remain there. The French, Dutch, Flemish, Swiss, Italian, and German emigrants, have been equally well received, and assisted in a very different manner from what they would have been elsewhere. Even Madame de la Fayette flew for protection and consolation to the American consul, poured out her griefs into his friendly bosom, and expressed the deep repentance of him who had been the original author of her misery.

“This benevolent man, so truly regretted by his neighbours, and so cruelly missed by the wandering stranger, is now returned to his native country, where his purse and hospitable mansion are ever open to the needy and unfortunate of every nation.

“Dokenhude, a mile from Neuensteden, contains the country-houses of Messieurs C. and P. Godefroy; that belonging to the latter is esteemed the finest country-house in the environs of Altona: the garden is laid out in the English style, and is open to the public.

“The

"The suburbs of Hamburg are said to be dangerous towards night, and there have been instances, between that city and Altona, of young men being pressed by the Dutch, carried forcibly on board a ship, and taken immediately to Batavia, whilst their friends remained for a long time ignorant of their unfortunate fate. These events, it is to be supposed, are very uncommon; they ought, however, to be mentioned, to put people on their guard, and to prevent, if possible, such unlawful proceedings.

"Hospitals, and all public institutions, were in a very neglected state in 1790. Trade so entirely absorbed every other idea, that the best and most useful plans were scarcely ever executed; every thing, indeed, appeared entirely forgotten, which did not relate to mercantile speculations.

"Pesthof is the name of an hospital very near the town, from whence a shady road leads to the chapel, which stands apart from the rest of the buildings, and has the form of a handsome rotunda. The hospital consists of several edifices, scarcely separated from each other; these are of tile and wood, and the apartments are very dirty. The sick sleep two, and sometimes even three in a bed: men and women can hardly be said to be separated. The ceilings are not more than nine feet high; and the beds nearly touch, which causes a most disagreeable smell, not a little increased by a quantity of chafing dishes, every patient being allowed to have one. This hospital contained nine hundred persons in November 1790, who were received on paying five guineas a-year. Separate rooms with stoves are appropriated to insane patients, who are comfortably lodged. Of these there were only

nine at that time. The bells for the raving mad are in another building, and are twenty-four in number: they are cleaned but once a-week, and are almost always empty. The principal food in this hospital is a kind of gruel, made with malted water, two-pailsful of the former being boiled up in an immense kettle: the bread is bad, heavy and sticks to the knife. The city is at the expense of this institution, which must be very considerable: the money is collected from the citizens, who are at liberty to subscribe whatever sum they think proper.

"The house of correction stands on the banks of the basin formed by the Alster, and very near the public walk. In November 1790 it contained four hundred and fifty-four persons, and is capable of holding seven hundred, but they would then be obliged to sleep three in a bed. Men, women, and children, of the lowest classes, are indiscriminately admitted, and made to work for their maintenance. Some are sent thither for various offences, but none are confined for life. The food is the same as in the hospital, and they all eat together in a large and very dirty hall. Carpets, half a yard Hamburg measure wide, are manufactured here, and sold for fifteen-pence English the three-quarters of a yard. They also make cloth for the troops; which is not sold for any other purpose. Carpets in the English style for two shillings and eleven-pence the three-quarters of a yard: carpets made of pig's and cow's hair, which only cost four-pence the same measure, and are very convenient for smokers, not taking fire from a spark falling upon them. The produce from the industry of this house is not sufficient for the expenditure, which amounts annually to nearly thirteen hundred pounds.

pounds more than the profits of the work.

"No one can be admitted to see this institution without a ticket from one of the overseers. The office of an overseer is frequently very disagreeable, but cannot be refused, without incurring the penalty mentioned in the article of senators. Those who behave ill in this house are confined in cells, where they are punished by a certain number of stripes from a leather strap, which are often inflicted in presence of the overseer for the time.

"The pigs and cow's hair are spun by children, who generally become consumptive in less than a twelvemonth; yet such is the poverty existing in Hamburg, that hands are never wanting for this pernicious employment. The dust and flew from the hair form such an atmosphere; that it is impossible to remain even a few minutes in the apartment without coughing violently. Those employed in cutting and sawing Brazil wood are the greatest gainers; the profit of the others is so trifling, that it is scarcely sufficient to keep them alive. No one should visit this institution without a provision of small money, plates and boxes being dispersed in different parts, into which it is customary to drop a trifle.

"The Foundling Hospital is, without exception, the finest institution in Hamburg; indeed it is the only one neatly and properly kept. It is a brick building, with twenty-three windows in front. The entrance is by three great gates. The wings have each eleven windows in front, and six backwards: these communicate with each other by a covered and glazed gallery overlooking a canal. There were six hundred children in the hospital when we saw it; the boys were

less in number than the girls. The former are taught reading, writing, accounts, and a little drawing; the latter, reading, writing, spinning, plain work, and embroidery. The only defect in this institution is, that the children enjoy too many comforts, and are too well educated for the style of life they are forced to adopt upon quitting it. Most female servants are hired from this place, and the boys are employed in different manufactures. Their food consists of oatmeal soup, cabbage, butter, cheese, and meat twice a week. The dormitories are very clean, and free from disagreeable smells. Each bed is furnished, according to the German fashion, with two feather beds, one serving as a coverlid; this is lined with a sheet, which turns over, and forms a border round the bed. These children are educated, fed, and entirely maintained gratis; the city is at the whole expense, which is supported by voluntary contributions; this, indeed, is the case with every other institution of the same nature. The church is handsome, with an elegant marble baptismal font facing the altar. There is also a small picture of the Lord's Supper, painted and given to the charity by Madame Debar. The expense of building this hospital amounted to 295,000 marks.

"It is an extraordinary circumstance, that in a city where the poor amount to at least twelve thousand, there should be no beggars in the streets; but the government is very severe in this particular, all idle people being confined, and obliged to work for their subsistence. Paupers being more numerous in the winter months, it is necessary to send many of them into the neighbouring villages, where proper places are provided for their reception.

"There

"There is also an hospital for poor seamen, which, however, is but an indifferent institution. This is rather extraordinary in a city where at least three quarters of the inhabitants are brought up either to trade or to the sea-service. Government would do well to attend to an object of such great importance.—An hospital for lying-in women is also wanting, or at least was so in 1790; and we have never heard that this deficiency has been supplied.

"Consumptions, and other affections of the lungs, are the most prevalent disorders in Hamburg, owing, most probably, to the damp produced by such a quantity of water.

"Hamburg is not very conspicuous for manufactures, as the following statement will plainly evince. Very few printed linens are now manufactured here, owing to the enormous wages exacted by the workmen. Velvets are in the same predicament; and indeed the country cannot boast of a single branch of industry peculiar to itself. Mr. Kruger, however, still has a manufactory for coloured linens deserving notice, though there is nothing novel nor particularly curious in the machines; the colours being simply applied with a wooden instru-

ment with broad points, which forms the pattern. The apartment for drying the linens is heated to so violent a degree, that the workmen are very short-lived. There was only one man at work at the time we were there, who earned 2 guineas and a half a week, which are the usual wages of a master workman. Those employed in the other parts of the process gained only seven or eight shillings. There are seventy-two printing-boards, and two coppers for the colours in this manufactory. Cow's dung is made use of in mixing colours, and some pieces of linen pass through fifty hands before they are entirely completed. We saw about fifty women putting on the colours with peach brushes, which is much the most durable method, as it does not suffer from washing; these women do not earn more than a crown a week. The patterns are made in the house, and are simply traced on wood, into which they drive the above mentioned brass points. These lincens are of various prices, and are sold from sixpence to a crown in Hamburg ell (three quarters of a yard).

"They are purchased principally by the inhabitants; many, however, are sent to Turkey, and still more to Poland.

## DESCRIPTION OF STOCKHOLM.

[From the same.]

"THE entrance into Stockholm through the south suburb does not give much idea of a capital. Indeed the city properly so called is very small, but the north and south suburbs are large, it being half a Swedish mile from the

gate of the former to that of the latter. Many streets, however, are destitute of houses; and in others they only consist of one story; so that, notwithstanding the great extent of Stockholm, it does not contain more than seventy-five thousand

and inhabitants. . . . Some of the houses are only built of wood, and many of those in the suburbs are mere peasants' cottages. The best inhabited and handsomest streets, such as Queen-street and Regency-street, are in the north suburb, but no one superior in rank to a merchant lives in the south suburbs. The North-square will be very handsome, when the bridge, at that time in contemplation, shall be finished; the alteration in the front of the houses opposite the palace will also be a great improvement. The other two sides of the square are occupied by the opera-house, and the palace of the Princesses, both handsome edifices.

Few towns in Europe are so ill paved as Stockholm; this is particularly disagreeable, from there being no public walk but the royal garden, which is damp and unwholesome, except in hot weather, so that the inhabitants have no other resource than walking in the streets.

"The city of Stockholm, properly so called, is situated on an island at the junction of the Mælar Lake and the sea, which communicate with each other by the southern sluices. Nothing can be more singular and picturesque than this city: it is indeed unlike any other, and affords the most charming points of view. The great variety of steeples, houses, rocks, trees, lakes, together with the castles or palaces which present themselves on every side to the eye, form altogether a most delightful and interesting prospect.

"The harbour is very fine, spacious, and safe, though difficult of access; it frequently requiring several days either to get out to sea or to enter it. This difficulty is owing to the necessity of passing through a variety of rocks, which cannot be

done without a particular wind. The keys are of very great extent.

"This city is ill lighted; the police is tolerably good; owing, perhaps, more to the quiet disposition of the inhabitants than to any particular attention. Many unfortunate events, however, took place during the winter of 1791, in which the Russians were principally concerned; and it was some time before means were found to stop these disorders, particularly as the police would not credit the circumstance, though they had but too many opportunities of being convinced of the truth. Drunkenness was pleaded as an excuse, but it is the first time we ever remember it to have been admitted as such by the police; some of the inferior officers of which were, however, new and then guilty of the same offence.

"There is not much society at Stockholm, and but few amusements. Assemblies begin at five o'clock, and tea is given in the English style. Several ladies of the court visit alternately, but their parties are usually over at seven o'clock. As to the merchants, their dinner companies always stay supper, and retire about twelve o'clock. The Swedish nobility are far from rich; very few, therefore, give either great dinners or suppers. The ministers, indeed, keep up some degree of state, but even some of those live very privately. The minister for foreign affairs alone, has a regular dinner once a week, to which he invites the other ministers, with all foreigners who have been presented at court.

"The dissolution of the old government has greatly diminished the society of this city, several of the richest noblemen having retired into the country on that event.—

What



What usually comes under the denomination of society does not amount to more than a hundred and fifty; whilst at Copenhagen there are above two hundred and fifty, and at Berlin two hundred and twenty or thirty to one party.

The Foreign Ministers' Club in the North Square, called the Society, was a great advantage not only to strangers, but to the people of fashion at Stockholm; nothing could be pleasanter than to have newspapers of all kinds to play at every sort of game (hazard alone excepted), and to dine and sup in good company at a fixed price.

The inn are so bad, that those who purpose staying any time in Stockholm must take a furnished lodging, which may be had for three rix-dollars a week, and for still less if taken by the month. The tables are extremely well constructed, and very little wood is required to warm the apartments. A good *maître de place*, who speaks French, is very difficult to procure. Good may be hired for two rix-dollars and a half a day; and from fifteen to fifty, five by the month. Supper is the best cooked, as it will make a neat carriage, the generality being very old-fashioned and innumerable Hackney coaches cost three *dalers* a fare, a *plote* for the first hour, and four *dalers* for subsequent hours, but these coaches are not always to be procured. The praises of the natural beauties of Sweden do not extend to the inhabitants of great cities, particularly to those of Stockholm, who are very much in a hurry with every other capital. Every thing is very dear, consequently it recommends him to seek his fortune in the provinces, and is in the same manner of all kinds, and is in the same manner of all kinds.

rupted state of the nation, which is by people of different nations. The Brethren of the Court of Sweden take place every second Sunday. The Brethren of the Court of Sweden take place every second Sunday.

His Majesty is always preceded by the circle of the Senate, and speaks in French to every man, but more particularly to ministers and foreigners. Great first preparation, and is only the of the French revolution, but of the which is made in Sweden in 1775.

and the factions which are in his country. When the court is in session, play begins, and the Foreign Ministers sit generally at the party. Neither gold nor silver appears on the table; the game is a kind of *lotto*, and each person has two or three tickets, and a half-woman in paper. The *lotto* is played at a separate table. The *Partie* is very difficult to procure. Good may be hired for two rix-dollars and a half a day; and from fifteen to fifty, five by the month. Supper is the best cooked, as it will make a neat carriage, the generality being very old-fashioned and innumerable Hackney coaches cost three *dalers* a fare, a *plote* for the first hour, and four *dalers* for subsequent hours, but these coaches are not always to be procured. The praises of the natural beauties of Sweden do not extend to the inhabitants of great cities, particularly to those of Stockholm, who are very much in a hurry with every other capital. Every thing is very dear, consequently it recommends him to seek his fortune in the provinces, and is in the same manner of all kinds, and is in the same manner of all kinds.

Supper is served immediately after the game, and is very good. The *Partie* is very difficult to procure. Good may be hired for two rix-dollars and a half a day; and from fifteen to fifty, five by the month. Supper is the best cooked, as it will make a neat carriage, the generality being very old-fashioned and innumerable Hackney coaches cost three *dalers* a fare, a *plote* for the first hour, and four *dalers* for subsequent hours, but these coaches are not always to be procured. The praises of the natural beauties of Sweden do not extend to the inhabitants of great cities, particularly to those of Stockholm, who are very much in a hurry with every other capital. Every thing is very dear, consequently it recommends him to seek his fortune in the provinces, and is in the same manner of all kinds, and is in the same manner of all kinds.

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lign, and it is customary to stay till the whole ceremony is ended. Supper is over between ten and eleven.

"The senators' ladies kiss the Queen's hand, who salutes them at the same time; and foreign ladies not only kiss the hand of her Majesty, but those of the Princesses likewise!

"We were presented to the Queen, immediately after the King; but another day was fixed upon for our presentation to the Prince and Princesses, which ceremony always takes place in their own apartments.

"That Charles the XIIth wrote from Bender for the exact ceremonial of Lewis the XIVth's court, which was accordingly sent him; is an anecdote but little known, though literally true; and it is not a little singular, that a fugitive Prince, breathing nothing but war, should be desirous of knowing the etiquette observed at the most brilliant court in Europe.

"The presentations to the Prince Royal generally take place before those to the King. He follows the example of his father, speaking to foreigners, and going round the circle in the same manner. This Prince dines in public every Thursday at one o'clock, when he receives his court, at which we never saw any females. The ministers always attend, and, strange as it may appear, pay their court to him three times a week, whilst they only attend his Majesty once a fortnight. The Prince Royal's manner is exactly copied from his father's: he is dressed in the Swedish costume, but without the cloak: his hair short, and no powder; he has a most amiable countenance, and though his constitution is naturally delicate, he enjoys good health; he

is extremely advanced for his age, and is in every thing particularly interesting. The greatest regularity is observed in his hours of study; his whole household is conducted with much simplicity, but he receives ten or twelve persons at dinner every day. He never eats with the King, except in the country; for it is contrary to etiquette to dine in public with his father, till he arrives at the age which entitles him to wear a sword; a period at that time, not far distant. This circumstance, however, did not prevent his Majesty declaring him Regent, on his going to Aix-la-Chapelle in May, 1791. On our mentioning this circumstance, he said, that Gustavus Adolphus had taken a town before the age appointed for wearing a sword. This example was unanswerable. On one of the Prince's public days, we remarked a Dalecarlian placed behind the rest of the company. His Royal Highness perceived him, and recognizing the dress of his country, pressed through the crowd, and taking him by the hand, spoke to him for a few minutes. The man, affected by such goodness, retired to a window and shed tears of joy and tenderness. This scene sufficiently proved how little it costs a Prince to be beloved, and what gratitude is felt for the smallest attentions; how culpable and ill-advised then is that Sovereign who deprives himself of the benedictions and attachment of the lowest rank of his subjects, when they may be purchased at so cheap a rate! Gustavus III. enjoyed this advantage, and his son treads in his footsteps. Where, indeed, can he find so safe a guide? For though too young to estimate a people's love, he will one day feel it in its full force. Destined to reign over a free nation, he will learn from his father

I

never

never to let that freedom infringe upon his own. Like him, he will unite courage and prudence to that degree of policy necessary for a Prince, whose throne, within a few years, has been raised on the ruins of an aristocracy; and by pursuing such conduct, his success can never be doubted. Having studied under so excellent a master, he will avoid the indecision which generally marks the character of a young Prince entering life under such serious and difficult circumstances.

"(The above article was written before the king's death, at a moment we were far from believing it possible so atrocious a crime should deprive the Prince Royal of a protector, so peculiarly necessary under such critical circumstances. We had still less reason to believe it possible, that beings should exist capable of approving so dreadful a murder.)

"The King gives a supper twice, and very frequently thrice, a week. This takes place on opera nights, in an apartment belonging to the theatre, and at other times either in the palace or at Haga. Foreigners, who have once had the honour of being admitted into his society, are always invited. His Majesty usually seats himself at a corner of the table between two ladies; and when at Haga, during summer, he not only invites foreigners to dinner, but expects them to remain there the whole of the day: on this occasion the guests appear either in full dress, or in uniforms the same as at Stockholm. According to etiquette, no Swedes, under the rank of lieutenant colonels, can be admitted to eat with the King; but he sometimes, as a mark of particular favour, invites subaltern officers to his table. No particular ceremony is observed at the King's suppers, even when the

royal family are present, as they frequently are on opera nights. The Queen and Princesses place themselves, without the smallest regard to precedence, at the middle of the table, and are waited upon by their pages. His Majesty's pages are almost all in the army, and wear the distinctive mark of their profession, which is a white handkerchief tied round the arm. The first pages belonging to the Dutches of Sudermania, and the King's sisters, are decorated in the same manner.

"The two Princesses give each a supper every week, at which all foreigners who have once been invited are at liberty to attend.—Quinze is played on these occasions; there is likewise a *loto* table where the stake is very low.

"The education of the pages is very much neglected; they attend indifferently upon every one; except indeed those who have the rank of officers, whose services are confined to his Majesty and the Princes, the latter having no pages of their own.

"Upon quitting Stockholm, leave is taken separately of the whole court; foreigners are introduced on this occasion by their own ministers.

"During our stay in this city, we were witness to the first audience of a Prussian Envoy, who was received in the following manner.—The master of the ceremonies, escorted by domestics in the royal livery, went in one of the King's coaches at half past seven in the evening, to the hôtel, where the Prussian Envoy was lodged. The minister then got into the carriage, with the Dutch Envoy by his side, and the master of the ceremonies sat backwards. The Prussian *Chargé d'Affaires* followed in another

ther carriage, and thus proceeded to the palace, where they were introduced into the great hall, in which his Majesty dines in public, and where a numerous assembly waited his arrival. On its being announced that his Majesty was ready to receive the new minister's credentials, the doors of the audience chamber, adjoining the great hall, were thrown open. The king was seated, with his hat on, in a crimson silk arm-chair with the arms of Sweden carved on the back, in gilt wood. The address was in French, which he answered with inexpressible dignity, in the same language. Five or six of the principal officers of the court were placed near him. On the retiring of the Prussian Minister from his Majesty's presence, he was conducted successively to the Prince Royal, and the rest of the royal family. We followed him to the young Prince's apartment, who pronounced his discourse in the noblest manner, and with all the courage and firmness of a sovereign long accustomed to ceremonies of the kind. We were the only spectators on this occasion. The Envoy was then conducted back again, attended by the same retinue, and in the same coach; which, having been bought from a Dutch minister, had ever since been pleasantly called by his name.

"No carriages but those belonging to Ambassadors and Senators are admitted into the court of the castle: a most inconvenient circumstance for every one else; the piazzas being open on all sides, consequently affording no manner of shelter from the wind.

"The palace, or, as it is usually termed, the royal castle, is situated in the city properly so called, and is so elevated as to make a point of view from every quarter of the

town. Though not large, the architecture is in so good a style, that it may certainly be regarded as one of the handsomest modern palaces in Europe. According to the Dutch Traveller, it is larger than the royal residence at Copenhagen, though neither so beautiful, nor so magnificently furnished. We are sorry to contradict the above author, but truth obliges us to assert, that it is entirely the contrary. It is built of brick faced with stone, with an Italian roof, begun by Charles XI. and completed by Adolphus Frederick. Its form is nearly square, and the inner court is two hundred and sixty feet long, and two hundred and twenty-four wide. There are seventeen windows in front, and fifteen on the sides; the height is four stories, one of which is an entresol. The entrance court is semicircular. It has twenty-three windows in front. Ten Doric columns united, support an equal number of Ionic caryatides, over which are ten Corinthian pilasters, ascending to the top of the edifice. The southern side, where the theatre is erected, has six large Corinthian columns united, and crowned with trophies. This building has twenty-one windows, and is three hundred and twenty-eight feet long. The opposite side is exactly of the same length. The fourth side, towards the sea, has twenty-three windows, and is three hundred and sixty-four feet in length. It consists of six stories, three of which are entresols; the wings have only three. The main body of the building has nine windows, and consists of only three stories with an entresol, and three arcades in the middle. Pilasters of the composite order form the front, and two small Ionic columns support each window of the first story.

The principal building in the court has nine arcades, with Corinthian pillars, and two small columns on the outside: the same in the opposite buildings. The depth of the main building from the principal entrance, and the two others, is fifty-two feet; on the two other sides are arcades, serving for doors. The building, next the flight of steps, is only forty-two feet deep. On each side of this flight is a large lion in bronze. A small court before one of the fronts of the castle serves as a terrace of communication from one pavilion to another. This is two hundred and sixty feet, by a hundred and thirty, and was intended to form a parterre. A handsome marble balustrade runs along the key, and ornaments the sides of the flight of steps. The pavilions, consisting of only one story, have nine windows towards the court, and the same number towards the key. The lower part of these pavilions was meant for an orangery, but the place is employed for other purposes. The whole is finished with arcades.

"The chapel is very handsome, and richly ornamented. It is a hundred and twenty-five feet in length, and forty-two wide; and is surrounded by a gallery, with a marble staircase. Indeed the stairs at Stockholm are in general beautiful, being of fine flag stone, and the banisters frequently faced with marble.

"The State Chamber is opposite the chapel, and of the same dimensions. The King's throne is placed ninety-five feet from the entrance, leaving a space of thirty feet behind. This throne is raised eight steps, and the hall is filled with benches, forming an amphitheatre as far as the door. The nobles are placed on the King's right

hand, and the clergy, bourgeois and peasants on the left. This chamber is magnificent, entirely surrounded by a gallery, containing several tribunes. The hall for assembling the different orders of knighthood is adjoining, and beyond two other rooms, in which the senate formerly met. In the first of these three chambers are four pieces of tapestry, representing the battles of Charles XI. presented to that prince by Lewis XIV.

"The King's Apartments.—His Majesty receives in an evening, in a large square saloon, ornamented with pillars of gilt wood, in which are two marble statues as large as life by Sergell; the one representing Apollo, the other Venus Callipyge; the head of the latter copied from the Countess Hapken, a celebrated court beauty. These are placed opposite each other, with glasses behind them. A large and very handsome saloon adjoining is furnished with French velvet, a profusion of glasses, and six busts of the present royal family by Sergell. A small cabinet joins the saloon, and serves as a passage to the gallery. It contains an antique marble bason, supported by three lions' paws, which have been repaired. Here are three antique statues, Pescennius Niger, Juho, and that of a young man holding a swab with a serpent in its bill. In the gallery are a great number of very fine pictures; among others, two Children by Rembrandt; the Judgment of Paris by Coypell; Venus and Adonis by Le Moine.—These two last pictures are companions, and are so beautiful, that they do great honour to the French school. The four Evangelists, either by Vandyke or Valentin, very fine: the Virgin by Jordans, the colouring rather too high: a fine picture of Sigismund on horseback by

by Rubens; Monsieur de Tessin bought it, when travelling, at the post-house, for a ducat. A dead Partridge, a finished picture by Hondelcoeter. Venus and Adonis by Vandyke; it is impossible to see this painting without imagining the artist began it for another subject, the Adonis resembling a dead Christ carrying to the Sepulchre, and the head of Venus being like Le Brun's Magdalen. A variety of pretty Flemish pictures, some of them by Wouvermans. A St. Jerome by Vandyke: this picture had been much injured, but has been retouched. Ulysses and Ajax persuading Achilles to defend the Greeks, finely painted by Lairese. A Philosopher holding a book, a valuable little picture by Rembrandt, the light finely thrown in. A Butcher ripping up an ox by Teniers, a subject frequently treated by that artist. A picture of the Grand Pensioner de Witt, supposed to be by Vandyke. Rubens's Family by Vandyke, a most valuable picture. Some well painted birds by Vanacht, 1664. An Old Woman by Rembrandt. A Mercury, supposed to be a Rubens; this was purchased at the custom-house at Antwerp. A fine picture of Gamsters, Vandyke's school; the faces are thought to represent the family of Charles I. Mercury and Argus by Simon de Pesaro. Mutius Scævola by Poussin: this small picture is unfortunately much injured. Susanna, painted on wood, by Rubens. Birth of Erichthonius, a sketch, by Rubens. A Virgin by Vouet: engravings have been taken of this picture. Two beautiful landscapes by Berghem. A Virgin, supposed to be by Holbein. A Child, thought to be Titian, a little injured. 'Render unto Cæsar, &c.' a fine picture by Lanfranc; the colours are faded

in some places, but several of the heads are extremely fine. This gallery also contains thirteen antique marble statues: the most valuable is that of Endymion, in the middle of the room: nothing can possibly be more beautiful; it is indeed one of the finest pieces of antiquity now in existence. He is represented reposing at length; one leg and arm have been repaired, but not in the best manner. This magnificent antique was purchased by his Majesty at Rome, in 1784, and cost only two thousand ducats. The pope would certainly never have consented to its being taken from Rome, had he not wished to oblige the King, who, at the same time, bought the nine Muses, and three other statues, for three thousand ducats. The Muses are not all equally fine, nor are they indeed in the first style of antiques, but they are still very valuable to those who study sculpture, every one of them being distinguished for some particular beauty. This is a great advantage to the Swedes, who have no other opportunity than what the King's palace affords them of seeing either Greek or Roman antiques. The drapery of these statues is the best executed. Polyhymnia and Terpsichore are particularly fine: Euterpe, Erato, Clio, and Urania, good; Melpomene and Thalia, but very moderate; and Calliope the worst amongst them. There are several more pictures in the gallery, which have been much approved by different journalists, particularly the three Graces, and the marriage of Amphitrite, said to be by Rubens; but we did not mention them as such: having reason to believe, from the testimony of Swedes, whose partiality to their country would have induced them to speak in their favour, that they were only painted

painted by the pupils of that great master. There is a statue of Apollo Cytharæode, which, having lost the head, was long thought to represent a woman, and as such was engraved by Cavaceppi. The pope having procured the same statue in a perfect state, having all the same attributes as the one at Stockholm, found out the mistake, which arose from the costume being that of a female. An antique Priestess; and a Fawn reposing: the latter, by Sergell, is small, but the body extremely beautiful: it may with truth be regarded as the master-piece of that superior artist. A closet, or passage-room adjoining the gallery, contains two Fauns carrying vessels filled with Wine, and a Woman holding a Cup. There are several pictures in the saloon—Achilles discovered amongst the Daughters of Lycomedes; a pleasing picture, supposed to be by Wanderverff. The Presentation in the Temple, by the younger Tiepolo. Its companion, the Birth of Christ, by the same hand. The Triumph of Amphyrte, attributed to Rubens, but believed to be by his pupil Diepenbeck. (We have already taken notice of this picture.) A Madona, supposed to be by Corregio. Zisca's Conspiracy, in Rembrandt's manner, and certainly of his school. A fine portrait of Cromwell, in high preservation. A Woman's Head by Parmesan. The Head of Christ by Albert Durer: the red too predominant—A picture by Rubens, subject Silenus; the painter has allowed himself some liberties in the composition not very decent. The painting has been much injured, but engravings have been taken from it, which may be seen in different collections. There are several more pictures in this room, with some statues and busts. A small statue

of a Drunken Silenus. Achilles, when a Child, which has been repaired. Two small antique Muses. Marble columns, representing Trunks of Trees. Two are carved with Dogs' Tongues, and one channelled, with a Basket for a Chapter. Two Hippogryphs. A little antique female goat in a good style. A large Horn of Plenty, carved and terminated by a Boar's Head; the whole placed upon different pieces of antique sculpture amassed together, which has a good effect. Two stumps of granite columns; on one is a sepulchral urn, or rather a vase carved with figures of children and birds, not ill executed, and on the other a piece of porphyry in the form of a bucket. Another saloon contains a portrait of Charles I. in the Vandyke style. Four well-painted heads by Nogau. The Crowning with Thorns, a large picture, taken from a church, the painter unknown; some parts finely executed. A sepulchral urn in Compartments, supported by four Lions' Paws of different sorts of marble. A large Sepulchral Vase, the cover of another kind of marble, with the representation of a Young Lion devouring a Bull. An antique Marble Seat. Two small Termini with Hermaphrodites. A small Statue of Paris on one knee before the Apple. A large Vase of modern granite, unfortunately broken. A fine antique Vase with handles of a beautiful shape, and in good preservation. The tables and chimney-pieces of these apartments are ornamented with a variety of vases, busts and bronzes, some of which are antiques, and others only copies. In one room there is a very great collection of large earthen ware dishes, distinguished by the name of Raphael's Ware: likewise vases of Swedish Porphyry of beautiful forms and

and exquisite workmanship; some busts, and a small statue of the God Pan. . . All the apartments on this floor are magnificent. At one end is an eating-room of a good size, inferior in beauty to the rest. There is a small theatre adjoining, in which French plays were formerly performed; but now it is used as a music-room, where we heard a woman sing, who must have been nearly sixty years old, having sang at the coronation of Adolphus Frederick. Her method of singing was excellent, much superior to any thing we had heard at the opera during our stay in Sweden.

"A small passage leads from the square saloon to the King's bed-chamber, in which is a bust of Madame de Brionne, a great beauty of the house of Lorraine. This chamber joins a small room, containing portraits of Lewis XVI. and his Queen, drawn with a pen; a picture of a Woman in Mourning, and another of Baron Armfelt in Armour by Vertmüller, a Swede, who has been received into the Academy in France. From thence we ascended a very narrow staircase, into a small room in the entresol, which is ornamented with much taste. The drawings are by Masrellier, and there are several bronzes in the antique manner, very well disposed in small niches. Through this room we passed to what the King terms his divan, which is very small, but extremely richly furnished in the Turkish style, and ornamented by two lamps in the best taste; these are placed upon tripods sufficiently high to rest upon. Nothing can be more beautiful than the divan when lighted. On entering the small apartments, we complied with the usual etiquette of taking off our swords.

"The second story consists of a variety of apartments, in one of

which his Majesty holds his levee four times a week, at eleven or twelve o'clock. The same etiquette as at Versailles is observed at the *Grandes et petites Entrées*. The court is held every other Sunday, in a very long gallery adjoining; next to which is a saloon for play. The great gallery communicates with the Queen's apartments; and the waiting-room for the courtiers attendant at the King's levee leads to the council-chamber, in which is a variety of pictures.—A large and very fine one by Lairese, representing Achilles at the very moment his sex is discovered at the court of Lycomedes; the four Fathers of the Church, in one fine large picture, by Rubens; Susanna and the two Elders, by the same master—this last is very fine, in good preservation, and a strong imitation of nature; Darius's Family at the feet of Alexander, by Trevisani, one of his best pictures; Portraits of Gustavus Vasa and Charles XII.; a fine Portrait of Queen Christina, by Beck; a Bust of Gustavus Adolphus; the Prince Royal, by Sergel, with a Child at full length, entwining a garland around the bust; a bronze Bust of Charles XII. by the younger Bouchardon. Masrellier shewed us a plan for enlarging the council-chamber, by joining it to the next room, in which is a picture by Gagnerot of the Pope, accompanying Gustavus III. to the Museum.

"A Royal Museum is in contemplation, which is to be composed of the great collection made by the celebrated Nicodemus Tessin, to whom Stockholm is indebted for its finest buildings; together with that of his son Charles Gustavus, whose reputation as a statesman, and as a connoisseur in the fine arts, is equally great. To which will be added, the collection of Queen Louisa Ulrica, the



the estimable sister of the great Frederick, and that of Gustavus III. the first monarch who travelled with a view of patronizing the arts, which, indeed, formed the principal pleasure of his existence. The museum is to contain all the antique marbles hitherto brought to Sweden, which will compose one of the most valuable collections to be seen out of Italy. Endymion, Apollo, and the nine Muses, will be, in point of sculpture, its most shining ornaments. It is also to contain pictures and drawings by the first masters, of which thirteen volumes are already collected; engravings, almost all proof, and the finest of the kind; Etruscan vases; bronzes; medals; antique and modern coins, amounting in all to twenty thousand, being composed of three very valuable collections, &c. &c.

"From the idea we have given of the plan, a favourable opinion must naturally be formed of this museum. M. de Fredenheim is to have the direction of this institution, as being intendant of all his Majesty's different collections relative to the arts. This choice is very flattering, and must be universally approved, particularly by those who, like ourselves, have the pleasure of his acquaintance.

"There are four theatres at Stockholm. The grand Swedish opera on Mondays, and sometimes on Thursdays, is tolerably well supplied with performers. Mr. Kasten has a fine voice, but his style of singing wants great improvement; his person, however, and his manner of acting, is good and gentlemanlike. Madame Müller has great talents, though we thought her Danish accent very disagreeable: her husband is an excellent performer on the violin. The ballers are under the direction of a Frenchman, and are very good. Mademoiselle Bassi, who first appeared at

Paris, was the principal dancer, but we were at Stockholm, but she has since quitted that city. The theatres are extremely rich, and the different costumes, most exactly observed indeed, the decorations and machinery are equal in every respect, to those of the first theatres in Europe. During a stay of five months, we attended this theatre two or three and twenty times, and saw nine different operas, three of which were national subjects. *Gustavus Vasa* is particularly fine, and the decorations in the first act, which represent the court of Christian, are both beautiful and magnificent. The subject is extremely interesting to the nation, and has been treated by the person of all others the most capable of feeling and entering the great qualities of that Prince. The music of Naumann is in general fine; but our ignorance of the language made it impossible to judge of the poetry, which has the reputation of being good. The decorations of *Electra* are superb. They are also very rich, and in a new style. *Thetis and Pelæus*, an old opera, with but very indifferent music, though composed by an Italian. This opera is remarkable, from its having been rehearsed at the revolution of 1772, when the King remained at the theatre till eleven at night, and appeared so calm, and so attentive to the opera, that even those who had some idea of the plan in agitation, could not possibly suspect it would be put in execution on the following day. The price of admittance is thirty-two shillings for the best places; but those who have not seats in a box generally go into the amphitheatre. Foreigners of distinction usually sit with their respective ministers; indeed, they would find no difficulty in being admitted into any other box. The King,

King, as has been already mentioned, sings during winter at the Opera House; the party is always large, and all foreigners known to him are invited. His apartment is very handsome, and contains a large picture by Desprez, representing the Emperor Joseph and the King of Sweden in St. Peter's Church, and the Pope officiating in his sacred office. Several of the faces are portraits, and extremely like.

This theatre is very handsome, and the stage large, forming altogether an agreeable *coup d'oeil*. It occupies one side of the North-square, and is a fine building, exactly in the same style of architecture as the opposite Palace of the Princess Sophia Albertina, who is the only one of the Royal Family who does not reside in the castle. The chapiters of the pillars in front are iron, cast at Aspland's manufactory. Granite columns are to be placed in the vestibule; these are polished near the north bridge.

The French theatre is very much in the style of our provincial ones; but it is certainly very pleasant to Frenchmen to be amused by the performance of their countrymen at such a distance from their native soil, and nearly at the extremity of the northern regions. M—— was for a great length of time the principal performer on this stage; and such was the King's goodness, that it appears extraordinary he should have quitted Stockholm; but the conduct of this man is a proof, that great talents and sound understanding are sometimes joined to a bad heart and the blackest ingratitude. His behaviour to his Majesty, and his manner of quitting Sweden, to perform on a fifth-rate theatre at Paris, ought to, and indeed would, have ruined any other than such a favourite of the public.

This theatre was of wood, both shabby and inconvenient, and was pulled down in 1792. French plays were performed on Wednesdays and Fridays, and Swedish ones the rest of the week. The latter have been brought to some degree of perfection, and that in a short time, owing to the King interesting himself particularly on the occasion. The dresses are very rich, and exactly characteristic. Both tragedies and comedies are performed, and the admittance is the same as to the French plays; twenty-four skellings the best plays. French plays have ceased to be performed since the unfortunate death of Gustavus III.

Farces and comic operas are acted in a fourth theatre, very much in the style of the Boulevards at Paris, and Sadler's Wells near London.

Operas are only performed once a fortnight during summer; the generality of people of fashion being in the country, the want of that amusement is not felt.

A masked ball was given at the Opera-house every Friday, during the carnival, which we passed at Stockholm. A ticket costs only twenty-four skellings, and no one is admitted without a domino, or some other masquerade habit: those, indeed, who go into the upper boxes, may dress as they please; but though the view of the company below is very agreeable, it is so accompanied by dust, and unpleasant smells, that people of fashion seldom go thither. The King constantly attends the masked balls; but though he is presently known, he enjoys the amusement; and loving to make use of the liberty allowed in a mask, is never offended at being answered in the same manner.

The wardrobe of the Opera-house is very rich, and there is no theatre

theatre where the actors, dancers, &c. are more handsomely dressed. The same characters which are dressed in stuff at Paris, are here attired in silk. The orchestra is composed of more than forty musicians, who are tolerably good performers; and independently of these, nearly two hundred people, such as actors, chorusses and dancers, belong to this theatre: the dancing department alone consists of ninety, including those who make the dresses, and who appear on the stage on particular occasions. Eighty tailors are employed for this spectacle.

"The Abbé Vogler generally led the orchestra at the Opera-house. He has great talents, and is a very good musician, but is more original than it is possible to express; he is, indeed, something in the style of a mountebank, as the following fact will sufficiently prove. We were present at what he called a concert, though he was the only performer on the organ in the German church: in the printed bills issued on the occasion, he announced *The Love of a People for a good King*, which he pretended to make us understand from the sounds he drew from the organ.

"The Opera-house was begun in 1776, and finished in 1782. The building is square, two hundred and ten Swedish feet long, a hundred

and fifty wide, and fifty-seven high. The façade or front is ornamented by Corinthian columns and pilasters; the theatre is in the centre of the building, with apartments on each side: the interior of the Opera-house is an imperfect ellipsis, fifty-six feet in length, and forty-eight wide, containing four rows of boxes, twenty-one in each. The outline of the theatre is eighty-two feet deep, and the same number wide.

"The sides of the theatre are composed of an apartment for the King; one for the manager, and another for the register. Two withdrawing-rooms, wardrobes, twenty-four dressing-rooms for the performers, a workshop for the painter, another for the carpenter, two coffee-houses, and a tavern.

"The whole expense of this theatre amounted to a hundred and eighty thousand bank crowns (about a million of French livres, or forty-one thousand six hundred and sixty-six pounds thirteen shillings and fourpence sterling). The machinery, furniture of the King's apartments, and the decorations of the first opera, are included in that sum.

"Another theatre was begun in 1792, to supply the place of the French play-house; the taking down of which opened a fine view to the square before the castle. The new theatre is to be in the old arsenal near St. James's."

## ROMANTIC SITUATION OF THE CITY OF RONDA.

[FROM MR. JACOB'S TRAVELS IN SPAIN.]

THIS city contains about twenty thousand inhabitants, who are a hardy race of people, and have much the appearance

of the natives of the north of Europe: the complexion of many of them approaches almost to ruddy; but with those peculiarly expressive features,

features, which distinguish the middle and lower classes in Andalusia. The fertile fields and productive gardens which surround Ronda, afford to its people abundant means of subsistence; besides wine, oil, and corn, which they enjoy in common with other parts of the province, they have a profusion of all the fruits and vegetables of our more northern climate: the apples are loaded, equal or excel in flavour those of our own country; and the cities of Cadiz and Seville, while they are supplied with oranges, lemons, grapes, and pomegranates, from their more immediate vicinity, are furnished from this quarter with the vegetable luxuries of northern Europe.

"The plains in this district abound with cattle, and the hills with game of all kinds; the roebuck and fallow deer are found on the sides of the mountains, and the wild boar is common among the woods. Wolves are very numerous on these mountains, and are sometimes so fierce, as to attack horses or mules, while the riders are on their backs, but they are alarmed at fire-arms; and, as I have before remarked, a peasant never goes from home without carrying a gun.

"About a league south-east from the city is the highest of the mountains, which is called *Cresta de Gallo* (the Cock's Comb), which has a very singular appearance, and is frequently the first land seen by navigators on approaching Cadiz: it consists of two ridges, parallel to each other, and joined at the bottom; one is quite red, and though it is rather the highest, the snow never lies on it; the other is white; and its top is always covered with snow, so that when in summer it is scarce in other parts, a never-failing

supply may be obtained from it. No trees grow on the white ridge, except oak or cork, and on the red ridge none but pines. The former contains iron ore in great abundance, and the latter almost every mineral except iron. The waters which issue from the white ridge are chalybeate, or vitriolic: and those from the red, sulphureous or alkaline.

"A mine of black lead (*molybdena*) in these mountains was formerly worked, but within the last twenty years it has been totally neglected. Tin was also found here, but the manufactory for tinning iron plates having been so ill conducted as to make the plates cost more than those brought from England, both the mine and the manufactory have been suffered to decay. The great quantity of iron ore in these mountains, where it is found in small balls, not much larger than shot, the plenty of excellent fuel, and the red earth of the soil, which, by its resistance to fire, makes very good furnaces, have induced several attempts to establish iron founderies, but none of them have hitherto succeeded, and the projectors have desisted after considerable losses. One nobleman, the Count de Pilar (father to that gentleman I met on Christmas-day at Chiclana), expended on one of these founderies nearly seventy thousand pounds, and was at last forced to abandon an undertaking by which he was almost reduced to ruin.

"The most abundant of all the mineral productions in these mountains is the amianthus, or asbestos, from which the fessil cloth was made by the ancients, which, as it resisted the power of fire, was used to envelope the bodies of distinguished persons, and preserve their ashes entire. Pliny describes it—

*inventu*

*inventum rarum, raris difficillimum*, and says he has seen napkins of it, which, being taken from table after a feast, were thrown into the fire; and were better scoured by burning, than those made of other substances were by washing. And it is related of the Emperor Charles the Fifth, that he had a complete service of linen made from this substance; and surprised the ladies of his court, who were unacquainted with its peculiar property, by ordering them all to be thrown into the fire by way of cleaning them. The amaranthus is so very abundant, that I have been assured there are large rocks entirely composed of it in these mountains; it is, however, a matter more of curiosity than of benefit; and if the art of spinning it be now lost, it is only because it is an art not worth retaining. Several attempts to convert it into cloth were made in Italy, about an hundred years ago, and with such success, that Ciampini, in a pamphlet published in Rome in 1699, describes the process for making both cloth and paper of it. Paper of an incombustible substance is certainly a desideratum; but unless an ink could be discovered equally durable, it would prove of little service. The specimens I have met with in this place are soft and flexible, and the fibres from three to five inches in length. When it is burnt, it does not appear to diminish in bulk; but it loses part of its weight every time that it is set on fire.

" Mines of lead (*plumbago*) were formerly worked about half a league from this city, and also a mine of silver, which is said to have been opened by the Phœnicians: these mines, however, like those of iron, tin, and black lead, are now totally neglected.

" Among the various things which

have attracted my attention in Spain, none have excited so much admiration as the singular situation of this city, the river Guadiaro which encircles it, and the bridges which connect it with its suburbs. It is placed on a rock, with cliffs, either perpendicular and abrupt towards the river, or with broken craggs, whose jagged prominences, having a little soil, have been planted with orange and fig trees. A fissure in this rock, of great depth, surrounds the city on three sides, and at the bottom of the fissure the river rushes along with impetuous rapidity. Two bridges are constructed over the fissure; the first is a single arch, resting on the rocks on the two sides, the height of which from the water is one hundred and twenty feet. The river descends from this to the second bridge, whilst the rocks on each side as rapidly increase in height; so that from this second bridge to the water, there is the astonishing height of two hundred and eighty feet. The highest tower in Spain, the Giralda in Seville, or the Monument near London Bridge, if they were placed on the water, might stand under this stupendous arch, without their tops reaching to it.

" The mode of constructing this bridge is no less surprising than the situation in which it is placed; and its extraordinary elevation. It is a single arch of one hundred and ten feet in diameter; it is supported by solid pillars of masonry, built from the bottom of the river, about fifteen feet in thickness, which are fixed into the solid rock on both sides, and on which the ends of the arch rest; other pillars are built to support these principal ones, which are connected with them by other small arches. But as it is difficult to describe such an edifice, I must refer

refer to the sketch I have made of it.

"A bridge was built on this spot in 1735, but the key-stone not having been properly secured, it fell down in 1741, by which fifty persons were killed. The present bridge was finished in 1774, by Don Joseph Martin Aldehuela, a celebrated architect of Malaga, and appears so well constructed, as to bid defiance almost to time itself: it seems an erection

*Quod non imber edax: non aquilo impotens  
Possit diruere, aut innumerabilis  
Anhorum series et fuga temporum.*

"It is impossible to convey an adequate idea of it: from below it appears suspended in the air; and when upon the bridge, the river beneath appears no longer a mighty torrent, but resembles a rippling brook. When standing on the bridge, the optical delusion is very singular: the torrent of water appears to run up a hill towards the bridge, and the same phenomenon takes place when viewed in either direction.

"One of the streets of the city is built almost close to the edge of the precipice, and stairs are hewn out of the solid rock, which lead to nooks in the lower precipices, in which, though there is very little soil, gardens have been formed, where fig and orange trees grow with considerable luxuriance, and greatly contribute to the beauty of the scenery. From the situation of Ronda on the top of a rock, water is scarce, and stairs are constructed down to the river, by which means the inhabitants are supplied. We descended by one flight of three hundred and fifty steps, and at the bottom found a fine spring, in a large cave, which, after turning a mill at its source, contributes to increase the waters of the Guadiaro.

From this spot, our view of the lofty bridge was most striking and impressive, and the houses and churches of the city, impending over our heads on both banks, had a most sublime effect. Beyond the bridge, the river takes a turn to the right, and passes under the Alameyda, from which the precipice of five hundred feet is very bold and abrupt, though interspersed with jutting prominences, covered with shrubs and trees. The Alameyda of this city is by far the most beautiful public walk I have seen in Spain: the paths are paved with marble; the parterres are filled with ever-greens, and over the paths, vines are trained on trellises, which, in the warmest weather, afford a grateful shade.

"Soon after the Guadiaro quits the nooks of Ronda, it receives the tributary streams of the Guadalevi, the Colubras, and the Alcobaen, and passes over the plain with this increase of water, till, at one league distant, it is precipitated over some lofty rocks, making a cascade of striking beauty, and is at length received into a cavern, where it is lost to the sight. The entrance to the cavern, which is called *Cueva del Gato*, is very lofty; and I was informed by those who had explored it, that, after advancing about a mile, it extends itself into a large lake, on the banks of which are ruins of an ancient edifice: that beyond the lake, which is of unfathomable depth, the passage made by the water is too small to admit of farther discovery; and that, sometimes, the difficulty of discharging all the water by this aperture causes the lake to rise almost to the roof. The termination of this cave is about four miles from its commencement, where the Guadiaro again becomes visible, and continues its course by Algaucin, till it enters the Mediterranean sea.

"One

"One of the curiosities of Ronda is a singular repository for water under the Dominican convent: it consists of a large cavern, nearly on a level with the river, which was supplied with water by means of an aqueduct, which formerly passed over the old bridge. When this city was besieged by the Christians, and no access could be had to the river, it is said that the Moors employed their Christian captives in bringing the water in skins from this reservoir, to supply the wants of the inhabitants: it is descended by means of about three hundred and fifty steps; and on the walls

are shewn marks of the cross, which the pious captives are said to have worn with their fingers in passing up and down during their laborious occupation. The cavern is hollowed into spacious saloons, the roofs of which are formed into domes of prodigious height, and formerly the whole was filled with water; but there having been no necessity of late years to have recourse to this method of supplying that necessary article, the caverns are neglected, and are going so fast to decay, that in a few years they will be filled with the rubbish which falls from the roofs."

## SPANISH PEASANTRY.

[From the same.]

"THE inhabitants of Ronda have peculiarities common to themselves and the other people in the mountainous districts, and obviously differ from the people on the plains. The dress both of the males and females varies as well in the contour and shape of the garments, as in the materials of which they are composed, and is peculiarly calculated for cold weather. Their countenances, as I have before noticed, are very expressive, and, in my judgment, superior to those of any race of people I have seen. The men are remarkably well formed, robust, and active, with a flexibility of well-turned limbs, which, doubtless, contributes to that agility for which they are celebrated: but the females in general are of short stature; and the cumbersome dress which they wear so conceals the figure, that it is difficult to determine whether they are well or ill

formed; but there is an expression of sensibility in their countenances, and a peculiar grace in all their movements, which is extremely fascinating. In walking the streets the women wear veils to cover their heads, as a substitute for caps and hats, neither of which are worn. These veils are frequently made of a pink or pale blue flannel, and, with a petticoat of black stuff, form their principal dress. The men wear no hats; but, instead of them, what are called *montero caps*, made of black velvet or silk, abundantly adorned with tassels and fringe; and a short jacket, with gold or silver buttons, and sometimes ornamented with embroidery, is worn just sufficiently open to display a highly finished waistcoat: they wear leather or velvet breeches, with gaiters; so that the whole of the figure, which is generally extremely good, is distinctly seen.

"Having

"Having observed much of the manners and character of the Spanish peasantry, more especially within the last fourteen days, I feel I should not be doing them justice, were I to abstain from speaking of them according to my impressions. I have given some account of their figures and countenances, and though both are good, I do not think them equal to their dispositions. There is a civility to strangers, and an easy style of behaviour, familiar to this class of Spanish society, which is very remote from the churlish and awkward manners of the English and German peasantry. Their sobriety and endurance of fatigue are very remarkable; and there is a constant cheerfulness in their demeanour, which strongly prepossesses a stranger in their favour. This cheerfulness is displayed in singing either ancient ballads, or songs, which they compose as they sing, with all the facility of the Italian improvisatori. One of their songs varying in words, according to the skill of the singer, has a termination to certain verses, which says, "that as Ferdinand has no wife, he shall marry the King of England's daughter." Some of these songs relate to war or chivalry, and many to gallantry and love; the latter not always expressed in the most decorous language, according to our ideas.

"The agility of the Spaniards in leaping, climbing, and walking, has been a constant subject of admiration to our party. We have frequently known a man on foot start from a town with us, who were well mounted, and continue his journey with such rapidity, as to reach the end of the stage before us, and announce our arrival with officious civility. A servant likewise, whom we hired at Malaga, has kept pace with us on foot ever since; and

though not more than seventeen years of age, he seems incapable of being fatigued by walking. I have heard the agility of the Spanish peasants, and their power of enduring fatigue, attributed to a custom, which, though it may probably have nothing to do with the cause, deserves noticing from its singularity. A young peasant never sleeps on a bed till he is married; before that event he rests on the floor in his clothes, which he never takes off, but for the purposes of cleanliness; and during the greater part of the year it is a matter of indifference whether he sleep under a roof or in the open air.

"I have remarked, that though the Spaniards rise very early, they generally keep late hours, and seem most lively and alert at midnight: this may be attributed to the heat of the weather during the day, and to the custom of sleeping after their meal at noon, which is so general, that the towns and villages appear quite deserted from one till four o'clock. The labours of the artificer, and the attention of the shopkeeper, are suspended during those hours; and the doors and windows of the latter are as closely shut as at night, or on a holiday.

"Though the Spanish peasantry treat every man they meet with politeness, they expect an equal return of civility; and to pass them without the usual expression, '*Vaya usted con Dios*,' or saluting them, without bestowing on them the title of *Cabaleros*, would be risking an insult from people, who, though civil and even polite, are not a little jealous of their claims to reciprocal attentions. I have been informed, that most of the domestic virtues are strongly felt, and practised, by the peasantry; and that a degree of parental, filial, and fraternal affection,



tion, is observed among them, which is exceeded in no other country. I have already said sufficient of their religion; it is a subject on which they feel the greatest pride. To suspect them of heresy, or of being descended from a Moor or a Jew, would be the most unpardonable of all offences; but their laxity with respect to matrimonial fidelity, it must be acknowledged, is a stain upon their character; which, though common, appears wholly irreconcilable with the generality of the Spanish character. They are usually fair and honourable in their dealings; and a foreigner is less subject to imposition in Spain, than in any other country I have visited.

" Their generosity is great, as far as their means extend; and many of our countrymen have experienced it in rather a singular way. I have been told that, after the revolution, when Englishmen first began to travel in the peninsula, many who had remained a few days at an inn, on asking for their bill, at their departure, learnt, to their great surprise, that some of the inhabitants, with friendly officiousness, had paid their reckoning, and forbidden the host to communicate to his guests the persons to whose civility they were indebted. I knew one party myself, to whom this occurred at Malaga: they were hurt at the circumstance, and strenuously urged the host to take the amount of their bill, and give it to the person who had discharged it; but he resolutely refused it, and protested he was ignorant of those who paid this compliment to Englishmen. It was common, if our countrymen went to a coffee-house, or an ice-house, to discover, when they rose to depart, that their refreshment had been paid for by some one who had disappeared, and with whom they had

not even exchanged a word. I am aware that these circumstances may be attributed to the warm feelings towards our country, which were then excited by universal enthusiasm; but they are, nevertheless, the offspring of minds naturally generous and noble.

" I should be glad, if I could, with justice, give as favourable a picture of the higher orders of society in this country; but, perhaps, when we consider their wretched education, and their early habits of indolence and dissipation, we ought not to wonder at the state of contempt and degradation to which they are now reduced. I am not speaking the language of prejudice, but the result of the observations I have made, in which every accurate observer among our countrymen has concurred with me in saying, that the figures and the countenances of the higher orders are as much inferior to those of the peasants, as their moral qualities are in the view I have given of them.

" The mountains in this neighbourhood are filled with bands of contrabandists, who convey tobacco and other goods from Gibraltar to the interior of the country: they are an athletic race of men, with all the hardiness and spirit of enterprise which their dangerous occupation requires. They reside in the towns which are situated in the most mountainous parts of the country, and are well acquainted with all the passes and hiding places. They are excellent marksmen; and though the habit of their lives has rendered them disobedient to the revenue laws, yet they are much attached to their native land, and might, with a little management, be rendered very formidable to its invaders.

" After this digression from the city of Ronda to the inhabitants of the

## Description of Cadiz and its Vicinity.

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the vicinity, and from thence to the Spanish peasantry, in general. I return to finish my description of the place, which may be done in a few words. It looks beautifully at a distance, but is as disgusting as most other Spanish towns upon a nearer inspection. It contains five convents, with splendid churches, and three parroquias, or parish churches, an ancient Moorish castle, and abundance of Roman antiquities. The air is extremely remarkably salubrious, and the longevity of the inhabitants has given rise to a proverb, which says, "In Ronda a man of eighty is but a boy."

As the inhabitants depend almost wholly on the productions of the fruitful fields and gardens which surround them, they have little occasion for commerce. Their surplus

fruit is sent to Cadiz and Seville, and at present to Gibraltar, where it is discharged for the most common duties which the luxurious conquest from other countries. There are manufactures which supply the city and district with serge, black shawls, leather, and hats; but most of these articles are sent beyond the neighbouring towns; and indeed, they are scarcely sufficient to supply them, without some additions from the mercantile cities of Spain.

In the time of the Spanish government in Spain, it was a municipal town, named Asunda, as appears from inscriptions upon several monuments, which have been preserved, as well as some tablets which were collected in the cabinet of Count Aguilar, the first victim of revolutionary fury in Seville."

## Description of Cadiz and its Vicinity.

[From the same.]

**A**FTER closing my last letter I left Gibraltar, intending to pass the evening with General Castaños, and proceed with him to Chiclana; but owing to an unfortunate blunder of the servants, they were waiting for me without the gates of Gibraltar, whilst I was searching for them every where within the town, when the evening gun announced the closing of the gate. I learnt their situation by accident, and applied to General Campbell, who, on account of the peculiarity of my case, had the goodness to order the gates to be opened, which occasioned no little trouble, and occupied a considerable time. When I had got fairly without the fortress, and had reached the Spa-

nish lines, I found that the servants had gone to St. Roque, and I was consequently obliged to follow them, instead of enjoying the pleasant evening, which I had anticipated with Castaños at Algeiras. There was no remedy, and being in an excellent house, the mortification was more easily borne.

At day-break, Mr. Ripout, who had accompanied me from Gibraltar, returned thither, having made a party to pass over to Ceuta and Tangiers, and it being arranged that he should join me at Cadiz, after his visit to Africa. I began my dreary journey to this place (Cadiz) alone. The first part of the road was good, and the country pleasant; but at the expiration of two hours I

passed the town of Dos Barrios, a place containing about one thousand inhabitants, when I began to ascend the Sierra, which, though not so high, is equally wild with that called the Trocha, at the back of Algezi-ras. The roads over it are excessively bad, and the prospects dreary and romantic beyond description. It occupied four hours to reach the summit of the Sierra, where huge rocks, lifting their heads among the trees, and gushing streams bursting in every part, gave to the prospects a sublimity, and a solitary wildness, which excited the most awful impressions.

"In one of the rudest parts of the road, at a sudden turning, I met General Doyle, who, with his aid de camp and servants, was going to Gibraltar, on his way to Catalonia. I cannot describe to you the pleasure of such an interview, in such a situation. He had all his usual cheerfulness and gaiety, and did not appear incommoded by the fatigues of his journey, though, as I afterwards learnt, he had slept the preceding night among the horses and mules at a gypsy-hut on the plain below. After having remained on horseback for seven hours, I reached the miserable hovel from which he had proceeded, and was too much disgusted with its filth to venture within it; but while the horses were refreshing, ate the meal I had brought with me under some cork trees, that grew at the door. I was joined at this place by some Englishmen, one of whom I slightly recognized: they had come from Algezi-ras that day, and our joint stock of provisions made the Spaniards almost envy us the sumptuous repast, which was spread on the grass before us.

"From this wretched venta I passed over a fine plain, which the

late rains had rendered wet and muddy, but which appeared totally uncultivated. A few straggling oxen were the only cattle I observed, and I could discover no vestige of an habitation, till, after four hours riding, I reached Vegel. As I found I could be accommodated in a venta near that place with an apartment, and straw beds, both for myself and for my countrymen who were following me, I determined to pass the night there, and employ the time till dark in seeing the town. The ascent is steep and dangerous, and scarcely passable for any animals, except mules and asses. The sight of the town was by no means a recompence for the labour of ascending to it; and though it contains (as I was informed) seven thousand inhabitants, not a single object was to be seen deserving attention. It is, however, surrounded with fruitful corn fields, and the country in general appears fertile.

"I accidentally met the Corregidor, and conversed with him on political subjects, with the freedom allowed to an Englishman. He expressed himself much in the same manner as the Spaniards in general do, when conversing about the state of their affairs. He exultingly pointed out to me the secure position of his own town in particular; and concluded by saying, that if the Junta gave up all Andalusia to the French, the inhabitants of Vegel could defend their own asylum against every enemy. I have seen so many instances of this parochial patriotism, if I may be allowed the expression, that it has ceased to excite astonishment. But, amidst the gloom which now overshadows the political horizon, it forms the only consolation, and constitutes the only hope, that remains for Spain. Numerous armies, without combination,

tion, and without confidence in their leaders, can no longer be relied on. But the native valour of the people, their unconquerable hatred of the invaders, their capability of enduring fatigue and hardship; and the unassailable fastnesses of the country, hold forth the best promise of a war, which may ultimately terminate in the emancipation of the peninsula.

"When I descended from the mountain, and reached the venta, the horrors which precede invasion were strikingly exhibited. The Duchess of Medina Celi, the wife of the proprietor of all this extensive country, and the richest subject in Europe, had just arrived with her family, having fled from St. Mary's, to escape from the enemy. She was attended by several carriages, as well as many mules and asses; but as the road would not admit of wheel carriages beyond this place, a sufficiency of the latter was provided, to carry her grace and her suite to Algezirás, where she intended to embark for Majorca. There was a cheerfulness in her conversation, and a liveliness in her manners, which proves what I have often had occasion to remark, that Spaniards, even of high rank, possess an elasticity of mind, which renders them superior to the unexpected calamities of life, and drives away those imaginary ills, which are the worst enemies of human happiness.

"In a miserable hovel, at the foot of a mountain, which towered over our heads, with all the horrors to be expected from an approaching enemy, and without the aid of a festive board, my countrymen, and myself, collected in our apartment a society of the neighbours, who, with the guitar, the grave fandango, and songs of 'long life to Ferdi-

nand, and death to Napoleon," passed an evening as merrily and as happily as if we had been their oldest friends; and appeared as tranquil, as if the enemy was not at hand. I shall feel a respect, and even affection, for the simple pleasures, the cheerful lives, and the generous character, of the Spanish peasants, as long as I recollect this and other similar societies, of whose hilarity I have been a partaker.

"I left Vegel early the next morning, and after ascending one mountain, from the sides of which gushing streams of transparent water turn a series of mills, I gained a level and barren plain; and, after about five hours, reached Chiclana. But having already passed some days there, about six weeks ago, and there being a nearer road than that through the town, I passed it on the right hand, and proceeded to the ferry over the river Santi Petri. There I met a number of convicts, chained together, who were marching to Algezirás, to be embarked for Ceuta before the arrival of the enemy.

"I pushed on with eagerness to Cadiz, the situation of which it is impossible to describe. The French are advancing with rapidity, and no force exists to impede their progress. The battery of St. Fernando is unfinished; there is no government to forward its completion, and no troops, except volunteers, to man the works, and too few even of them to perform the requisite duty. The late feeble government is dissolved, and some of its solitary members are dropping in here, glad to have escaped from the fury of the populace at Xeres, and other places. The fears of an insurrection in this city are so strong, that patrols are parading every night, and detachments of volunteers are constantly under arms, while the British sailors are actively

actively employed in blowing up those forts which may be rendered subservient to the views of the advancing enemy. Amid these scenes of terror, the apprehension of a scarcity of many necessary articles increases the gloom; while those, who have wives and daughters, are imploring from all who are connected with shipping, the means of removing the objects of their affection from the horrid scenes which they anticipate. It is, however, probable, that this giddy people, who, when I left Cadiz, were buoyed up by the most absurd confidence, are now as unreasonably depressed. A day or two will produce some alteration; but I must now close my letter, in the hope of being able to transmit to you some interesting details in a few days.

"On the night of the 30th of January, an express arrived from the Duke of Albuquerque, announcing that he had thrown himself between the advancing enemy and this city (Cadiz), and having gained a day's march on him, would conduct his army to this place; by which a competent garrison will be formed, that must prevent the French from taking the city by a coup de main. Thus, for the present, Cadiz is safe, and the alarm which prevailed has in some degree subsided; but its safety is owing neither to the foresight of the Central Junta, to any precautions taken by its governor, nor to any efforts made by its own inhabitants, but solely to the patriotism of Albuquerque, and the strenuous exertions of his army.

"Venegas, the commander here, received his appointment from the Central Junta, not on account of any extraordinary military talents which he possesses, but rather because the distrust manifested by the British ambassador and the British

generals, when he was at the head of an army, in the command of which he discovered but very moderate skill, was a recommendation to the favour of that body, ever jealous of its English allies. By the populace of Cadiz he has always been regarded with suspicion; and he and his partizans have been in continual alarm, lest an insurrection should break out, to which he might become a sacrifice, like his predecessor, Solano.

"If Venegas discovered no skill as a soldier, it must be confessed he has managed the populace with the dexterity of a politician; when it was known that the Central Junta had fled from Seville, and were dispersed in various directions, the public indignation here was so strongly felt, that he, having been appointed by them, was no longer secure in the command, which he had but negligently exercised: he therefore addressed the corporation of the city, stating to them, that as the government which had nominated him no longer existed, he wished to resign his command into their hands, to become a private citizen, and perform any duty to which they should appoint him. The city magistrates, gratified by this submission of the military to the civil authority, a submission the more flattering, as it was new among Spaniards, requested him to continue his power, by acting as the president of their body, till a Junta could be elected for the government of the town. An election has accordingly taken place, and Venegas has been chosen president of this new body of the representatives of Cadiz.

"I believe, that on no occasion have representatives of the people been more fairly and freely elected: a balloting-box was carried from house to house, and the head of each

each family voted for an electoral body, consisting of about fifty or sixty persons, who met and chose eighteen members, to compose the Junta for the government and defence of the city. Though I see nothing to condemn in the plan by which this body of men was elected, and though, so far as I can learn, no unfair influence was used, I have not a very high opinion of its capacity for managing the defence of this important military post. The members are too numerous for an executive government, and though divided into sections, they have so ill arranged the distribution of the different branches of the government, that in the few days they have acted, they have already been found to clash. They have exercised no energy in commanding the inhabitants; and, though nothing can be of so much, or of such pressing importance, as completing the battery of St. Fernando, instead of making requisitions of the whole, or a proportion, of the population, for this necessary work, proclamations, or rather invitations, have been issued, which, while they urge the willing to labour; leave the indolent and the selfish, who are by far the greater number, to the full indulgence of their injurious propensities.

"Mr. Frere, and the English who were in Seville, together with numerous families of Spaniards who dreaded subjection to France, have arrived here, and unite in representing the conduct of the Central Junta at the period of its dispersion, as marked by the same indecision and imbecility, not to say treachery, as had uniformly characterised that body. They were strongly urged to remove the warlike stores, to destroy the depôts, and especially to blow up the cannon foundery; but

all without effect; and the enemy will thus, by their misconduct, be furnished with powerful means for their attack on this city, the last asylum of the defenders of Andalusia.

"The people of Seville, who had been duped by the government, and to whom, only two days before their flight, the Junta had represented that the city was in no danger, rose with indignation, and demanded arms to oppose the enemy. In the wild fury of the populace, they sought out Romana for their leader, who, seeing no end that could be answered by resistance, had made preparations for his departure to join the army of Estremadura. His horses were arrested at the gate, and himself compelled to appear at the head of the indignant people. He saw but too clearly the futility of defence, and therefore at length withdrew, to take the command of a body of troops collecting in the vicinity of Badajoz. The spirit of the people was great, but means adequate to it were wanting; or Seville, notwithstanding its imperfect defences, might have rivalled in renown Saragossa and Gerona.

"The flight of many members of the Junta caused an agitation, which the eloquence and patriotism of Saavedra could with difficulty restrain from acts of the most ferocious violence; by his influence it was in some measure calmed, and instead of perpetrating any of those enormities which an enraged populace too often commit, they contented themselves with restoring to liberty the imprisoned patriots Count Montijo and Palafox, and selecting others of their most zealous citizens to act with them for the public good; but it was then too late for action, and the best friends of the people could only use their

their endeavours to prevent such an opposition as would justify the cruelties of an enemy, ever eager to impress terror, by adopting the most severe measures towards those who feebly oppose him.

"I cannot pass over the eulogiums pronounced by all on the character of the Duke of Albuquerque. His general conduct is highly extolled, and his late retreat, by which this city has been saved, has exhibited such great proofs of military talent, that public opinion has pointed him out as the proper officer to have the command of this fortress.

"In rank and possessions, this nobleman was among the first in Spain under the old government. He entered into the army in 1795, and displayed, in the war then carried on against France, the presages of that courage and military skill, which have recently been more fully developed. He was a pure Spaniard, detesting the dominion of France, to which Godoy had subjected his country; and to avoid the humiliating spectacle which the influence of that favourite exhibited, offered his services in the army, which the Marquis Romana led into the north of Europe. The first intelligence of the new disgraces which were preparing for his beloved country, reached him when in Fuen with that distinguished officer. Though suffering from sickness, he determined to return home, and hastened with expedition to Paris, where he first heard the particulars of the base transactions in Spain. The Spanish grandees who were assembled in that city, endeavoured, by persuasions and threats, to prevent him from returning to join the patriotic party on his native soil. He escaped the dangers of the road; and having joined his countrymen in Valencia in June 1808, he there

organized an army, which, under his command, marched to Madrid.

"He published a manifesto, addressed to the tenants and peasantry on his extensive estates, which, in language at once patriotic and energetic, called on them to arm in the cause of their country. He lessened the rents of those who had suffered by the incursions of the enemy, remitted their fines, and, by his liberal donations to the voluntary defenders of the country, did every thing in his power to assist the common cause. He distinguished himself at the battle of Medellin, which the blundering Cuesta unnecessarily fought, and as negligently lost; and by his conduct at Talavera, where he commanded the Spanish cavalry, obtained the confidence of Lord Wellington, and the praise of the British and Spanish armies. When Cuesta was removed from the command, the British ambassador urged the appointment of Albuquerque to succeed him; an appointment so proper in itself, and so acceptable to the Spanish army, that nothing could have prevented its adoption, but that paltry jealousy, which instigated the Central Junta to decline every suggestion made by their ally.

"Ariesaga, on whom the command of the army was conferred after the removal of Cuesta, was the most inexperienced of all their generals, and had no other merit than that of confessing his inability to execute the duties of the station to which he was appointed, and of reiterating his requests to be relieved from the command, both before and after the disgraceful battle of Ocaña. Under this man, Albuquerque did not disdain to serve his country, but commanded a division of about eight thousand men. When the French penetrated into Andalu-

ais, the communication between the Duke and his superior was entirely cut off, and orders from the Junta were communicated to him, without the intervention of the commander in chief. Cornel, the minister of war, of whom the strongest suspicions of treachery had long been entertained, and whose conduct on this occasion justified those suspicions, communicated in that interesting moment, orders and instructions so vague and contradictory, that they served to confuse rather than inform this high-spirited officer. He fought, with inferior numbers, an army of well-disciplined foes; and the various steps of his subsequent retreat were taken with such skill and judgment, as excited the admiration of all military men.

"When he arrived at Guadalcanal, he received orders to retire upon Seville, and other orders of the same date to march to Cordova; the following day the orders to march to Cordova were repeated in the most peremptory language, though it must have been known on the first day (the 22d January) that a division of the enemy was in Cordova, and another division pushing forward towards Seville. Had he obeyed these orders, his little army would have been placed between two co-

lums of the enemy, his retreat would have been cut off, and Cadiz must have fallen without defence. Though Cornel had not intimated it in his last dispatch, the Duke knew from other sources that, whilst he was writing it, the Junta were preparing to escape, and therefore he did not hesitate to disobey his orders: instead of returning towards Cordova, he passed his army over the Guadalquivir at Cantillana, and by forced marches pushed on towards Cadiz. The cavalry of his army, which covered the artillery, and was constantly engaged with the advanced parties of the enemy, passed along the Camino Real, through Alcala and Utrera, whilst his infantry crossed the Maresma by Lebrixa, at a season when that marshy tract was deemed impassable, and both divisions happily united at Xeres; when the enemy, finding they had completely escaped, relaxed in the pursuit.

"Never, perhaps, did an army endure greater fatigues and privations, and never did general share in them with more readiness, than this gallant officer, who has merited the everlasting gratitude of his country, by disobeying its treacherous government, as much as by the exertions he has subsequently made."

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#### ACCOUNT OF THE BALEARIC ISLES.

[FROM SIR JOHN CARR'S TRAVELS IN SPAIN.]

"ON the night of the fifth of October, after spending a pleasant evening with a party of Spanish ladies and gentlemen on board of a fine American merchant-ship, lying in the mole of Tarragona,

I set sail with the gentleman who accompanied me to Montserrat in the Palma packet, a felucca with latine sails, for the island of Majorca, distant about one hundred miles at the nearest point, and about



one hundred and twenty to Palma, the capital. This island is the principal of the Balearic Islands, so called, as it is conjectured, from the remarkable skill of the early natives in using the sling. In addition to Majorca, these islands comprize Minorca and Ivica Formentera, Conejera, and a few other diminutive islands, are called the Pityuse Islands. The whole were denominated by the ancients the Iberian and Happy or Fortunate Isles, and formerly composed the kingdom of Majorca.

"For our passage to Majorca, we were charged eight dollars, and a dollar for our table. As the wind was very unfavourable, we had an opportunity of observing the advantage of vessels with latine sails, which in these seas, as I was informed, can go expeditiously within two points of the wind. We were nearly four days in performing this little voyage, during which our fare was excellent. Every evening, mass was performed, accompanied with singing, sufficiently loud to have roused the attention of a privateer, had any been within reasonable distance, even if the darkness of the night had prevented their seeing us. On the 9th in the morning, owing to the state of the wind, we were obliged to run from the Cape de Cala Figuera over to the opposite Cape of Blasco, between which Palma is situated, and so tack up the city, which, with its noble cathedral, churches, various public buildings, and bastions, and the lofty mountains behind, presented a rich and elegant spectacle, enlivened, though not improved in a picturesque point of view, by a great number of wind-mills in full play, which line the ground on its eastern and western sides. The port is small, but secure and commodious. The city is too

near the sea, and too ill protected by its walls and redoubts to be capable of long holding out against a well-directed attack: at present, nearly all its cannon has been removed to Tarragona, the captain-general and council presuming that, if the continent of Spain is lost, this island will be protected by the English.

"Owing to the recent ravages of the plague at Tarragona, we were rigidly examined at the health-office, the examining physician feeling our pulses, and also high up under our armpits.

"After exhibiting our passports at the palace of the governor, we were conducted to the only good fonda, or inn in the place, kept by a Frenchman named St. Antonio, where we got a tolerably good room, and where, during our stay, we were most excellently entertained, Antonio being a professed cook; and to his culinary skill and inoffensive character, I believe, he owed his personal liberty at this time. For a breakfast of chocolate and cakes, a dinner, admirably dressed, of soup, meat, fowls, and generally two dishes of game, either rabbit, hare, quails, partridges, thrushes, or snipes, with which the island abounds, pastry, abundance of the best of wine, a dessert of the finest fruits, coffee, a supper nearly as plentiful as the dinner, and our lodging, we were only charged to the amount of about seven shillings English piece. We found the pork very fine, the mutton excellent, but the beef poor. As Palma is very little resorted to by travellers, the inns are very few and very bad. We were invited to the house of our consul, who was also American consul; but we were speedily warned by persons of high rank in the city, not to accept of his invitation,

tion, as he was of Jewish descent, and on that account held incapable of being admitted to respectable intercourse. The impolitic manner in which British consuls are appointed abroad deserves some attention from the legislature. A consul is an officer appointed by commission in a foreign country to protect and facilitate the mercantile interest of the princes or chiefs by whom he is appointed. He is to prevent any insult being offered or any wrong done to their merchants, and he is to correspond with the ministers residing at the court upon which his consulate depends. The British consul at Palma does not know a word of English, and on account of his Judaic origin, is held in a state of contempt and degradation by the people. He officiates also for America and the Barbary States. The time is not very distant, when a Jew could not appear with personal safety in this island; and numerous are the instances of Jews having been consigned to the flames, to appease the angry and unjust prejudices of the people. Many of the ancestors of this very man were burnt on this account. It is related that the monks, in whose church the portraits of most of these unhappy persons, who at various periods had thus been sacrificed, were suspended, were applied to by this very consul, to let him have the pictures of several of his ancestors who had suffered—that he also endeavoured to win over the holy fathers with a considerable sum to put him in possession of these painful, and as it was considered, dishonourable, vestiges, that they might be destroyed—that the monks consented, but previously had copies of them taken, which, soon after the money was paid, were suspended in the room of those which had been withdrawn, to the

no little mortification of the deluded consul—and that the mercenary deception was considered a good joke all over the city, because the peace of a Jew happened to be its victim.

“The French act more wisely than we do. They justly attach great importance to the office of consul, allow him a salary adequate to an appropriate establishment, send him out in a ship of war, and with every other circumstance to secure him respect. I had an opportunity of remarking in other places, the very injudicious neglect of the British government to this important subject.

“The cathedral, one of the most imposing objects in the city, built by James the Conqueror, King of Arragon, is a vast and magnificent gothic structure, entered by three noble gates. The effect of the interior notwithstanding the interruption of the choir is very fine. On the day when I saw it first, the effect was much increased by a grand military and monastic procession round the aisles, in honour of the anniversary of King Ferdinand's birth-day. Some of the windows of stained glass are very beautiful, and in the sacristy we were shewn the church treasure, consisting of large and magnificent candlesticks of solid silver exquisitely wrought, salvers, a *la custodia*, and relics set in gold and diamonds, of great value. In an iron railing between the choir and the principal altar, decorated with gilt bronze, and surmounted with a silver crown, is a marble sarcophagus, from one end of which, the body of James the Second arrayed in his robes, lying in a drawer, was drawn out, and considering that the monarch had been dead very nearly five hundred years, the face and body appeared

to be in a state of extraordinary preservation. On the sarcophagus is the following inscription.

Acqui reposa el cadaver del Serenissimo  
Sr. Dn. Jayme de Arragon,  
2d. Rey de Mallorca,  
Que merce la mas pia y laudable  
Memoria en los annales,  
Falicio en 28 de Mayo, &c., 1311.

“ Don James, grandson of Alphonso the second king of Arragon, the predecessor of this sovereign, conquered this island, and finally expelled the Moors, who had retaken it from the generals of Raymond Berenger, after he had returned to Catalonia in 1229. In the attack of the island, Don James is reported to have displayed the most undaunted courage and unshaken firmness. Upon Palma being taken by storm, the rest of the island submitted and was incorporated with the kingdom of Arragon, and at length, after many petty feuds, and insurrections, annexed to the crown of Spain. The episcopal palace adjoining the cathedral is a handsome building.

“ On the day of our visit to this cathedral, we were presented to the captain-general, Don Francisco Del Cuesta, at the levee held in the ancient palace of the kings of this island, at which all the noblemen, officers of state, and constituted authorities attended in their full costume, the whole presenting a princely appearance; after which we had the honour of dining with his excellency, who placed me on his right hand. The dinner, prepared under the direction of Antonio, our host, was splendid, and in a high degree excellent, and the room cooled by a prodigious large fly-flapper, suspended over the table, and kept in motion during the banquet, at which the most distinguished nobility of the island, and several fugitive gran-

dees from the mother-country were present, all of whom cordially joined in the toasts which were given in honour of England and Spain. In this palace there is nothing worthy of notice except the vestibole and stone staircase, an arsenal, magazine, chapel royal, and prison, the gardens belonging to it, and a beautiful view which it commands of the sea and country. At this levee the poor British consul, to my no little mortification, was not admitted, and all the honour allowed him was a permission to send some game from his estate to augment the profusion of good things which graced the vice-regal's table. In the evening, there was an illumination, as it was miscalled, which, although numerous parties were formed to view it, was not very creditable to the city, if the loyalty of the inhabitants was only in a ratio to their light.

“ The front of the town-house, which is a noble building richly decorated with sculpture, appeared on this occasion en gala; a large quantity of red velvet covered a great part of its basement floor, before which the portraits of the royal family were exposed to the view of the spectators. In one of the public rooms within this building, are portraits of distinguished Spaniards, natives of this island, or who had large property in it. Amongst others, I noticed those of the intrepid and loyal Romana and his gallant brother Caro. There is also a fine painting of St. Sebastian, the tutelar Saint of Majorca, by Vandyke, purchased at Madrid some years since. In the palace of the Marquis de Ariang, we were shewn several pictures, but scarcely any of them were worthy of notice; the best appeared to be some naked figures, which the excessive modesty of the lord or lady of the mansion had placed in such dark-

darkness as to be scarcely visible. Thence we were taken to the palace of the Count de Negro, where we saw a much better collection; amongst which were a fine head by Vandyke, a Vernet, and two beautiful Flemish pictures: there was also a head of the Virgin exquisitely wrought in mosaic. Upon the basement floor were several fine busts, particularly one of Augustus, for which we were informed eight hundred pounds English had been offered and refused by the noble possessor. There were also some fine specimens of porphyry, several small antiques, and some good casts. We were informed that the count has an equally good collection at his country-house, but we did not see them.

"In the coro of a capuchin convent near the gate of St. Marquerita, where the Spaniards entered when they expelled the Moors, we were shown a very large painting of the crucifixion, confidently said to be by Titian, but it has been irreparably spoiled by the ignorance and negligence of those who removed it from the house of the person who bequeathed it to the convent. In the library are several valuable books and original manuscripts, amongst which is a history of Majorca, and the contract drawn up and agreed upon by the conquering Spanish generals for the partition of the island. There is an academy for painting here; but the pupils are at present not very promising.

"The prison is tolerably commodious and clean, and, owing to the well known honesty of the Majorcans, it is but thinly tenanted. The Alameda is an agreeable walk, but not much frequented. The markets are abundantly supplied with every necessary, and what in England would be called every luxury. Fish, fowls, game, and fruits are in great

profusion. So cheap is living in this happy island, that a married couple may keep an elegant house in the country, with olive-grounds, gardens, orange groves, and vineyards, a plentiful table, drink the most delicious wines of the island; keep a carriage and a pair of mules, a suitable number of servants, and educate a family of children, in a refined manner, and associate with the best society, upon five hundred a year.

"The exchange is a very curious Gothic edifice, containing a magnificent hall, which, owing to the merchants being more disposed to assemble in the open air than under cover, is now much neglected, and is at present a depôt for corn. Towards the sea, the principal street is broad, and many of the houses are very large and magnificent.

"The rent of a tolerably good house is about seventy dollars a year; formerly upon an assignment of one, a fine was paid to the king, but this is now done away. There are about seven thousand houses in Palma. The population of the city is averaged at thirty-two thousand; that of the whole island, which is fifty leagues round, at eighty-seven thousand. This account varies from the enumeration given by other travellers, but I was repeatedly assured that it was correct. In Palma there are seven parochial churches, eight convents, four consecrations, the occupiers of which are religious, but neither monks nor friars, ten nunneries, three colleges, three oratories, five churches, deserted and shut up; there is also an Inquisition, in the prison of which several persons were confined when I was there. The native regular military of the island is two thousand, and every male adult resident in the island is obliged to enrol himself for its defence in case of invasion. The monks

monks and friars are two thousand, and the ecclesiastics two thousand five hundred.

"There is a beautiful walk, much frequented, to a castle called Belver, about a mile and a half from Palma, through the gate of Catalina, along the cliff, from which there is a fine view of the bay and city. The wind-mills, which abound in this direction, are very small, as I am informed, about the size of those in La Mancha, celebrated for having been the objects of chivalrous assault by the immortal knight of that province. These mills are numerous on account of the general want of powerful streams in the island. In this castle, which is singularly picturesque, its ancient walls being in many places covered with the eaper, three French generals were confined. From the leads we had a wide and beautiful prospect, and could easily distinguish the island of Cabrera, lying about nine miles to the north-east of Cabo de Salinas. This island is about two miles and three quarters from east to west, and about three miles from the south-west to the north-east. In this barren and desolate place, sufficiently dreary to drive to madness any other being but a native of France, there were no less than five thousand French prisoners shut up; who, however, by the assistance of gambling, dancing, and a theatre, contrived to dissipate the gloom which surrounded them. This island is very injudiciously converted into a depôt for prisoners of war. It is possible that the weather might be so boisterous as to prevent the victualling boats from going to it from Majorca, and also that vessels might be driven in stress of weather into its bays and harbours, by which many of the prisoners might effect their escape.

"The walk to Belver was a favourite ramble of mine during my stay. The climate, always benign and temperate, was peculiarly grateful at this season of the year.

"We were present at a concert given by the granddaughter of Don Thomas des Escalado, the intendant of Palma, with a salary of three thousand dollars per annum.

"This elegant old gentleman was turned of eighty, and, to a mind well stored and wholly unimpaired, he added a flow of spirits, and activity truly surprising. In respect to looks, health, and happiness, he appeared to be the patriarchal representative of his favoured island. To this gentleman I was much indebted for many attentions and introductions to several very agreeable natives of distinction. At one party where I happened one evening to be present, an old colonel came in and said he had just heard that his son had been killed at Gerona; after wiping a few drops, he added, 'It is the second I have lost in the field of battle, but thank God! I am consoled by reflecting that they have died for their king and country.'

"There is a tolerable theatre here. The people appeared to me more musically inclined here than any part of the continent of Spain I had visited; I often heard the castanets well played. The most esteemed are made of the pomegranate wood, and to improve their tone they are fried in oil for a short time. The fandango and volero are great favourites here. There are also several good public institutions for the poor, aged, and infirm.

"Having visited every object worthy of notice in the city, I joined an agreeable party on mules to the celebrated monastery of Valldemusa or Mossa, or Mossa. Our ride,

ride, which lasted about three hours, lay through an exquisitely rich, and highly cultivated country, consisting of corn-land, vineyards, and woods of olive, carob, almond, pomegranate, and apple-trees. Male and female peasants with long hair, generally platted, wearing large black felt hats, and dresses of blue serge, much in the style of those of Holland, displaying neatness and contentment, divided the labours of the field. Instead of the mantilla, a head-dress called the rebozillo, or double handkerchief, is worn by the female, which covers the head, is fastened under the chin, falls over the shoulders and back, and is far from being becoming. The male peasants generally wear leather shoes and spatterdashies. In the streets of Palma, I met several youths attired as ecclesiastics, but I found that they did not belong to the church, and wore this dress only through economy, many of them not having a shirt to wear.

"It was now the almond-harvest, and merry groups, young and old, were assembled to collect this delicious fruit from the delicate trees that bore it. The eye could not turn but to banquet on some beautiful or romantic object. Every cottage was a picture, and the industry and happiness of man seemed to co-operate with the beneficence of the soil and climate.

"When we entered upon the estates of the convent, the hand of culture seemed to have been still more actively and skilfully employed. After winding along the sides of the most picturesque hills, richly clothed to their summits, belted with ridges or terrace-walls rising above each other, kept in the greatest order, and by vines, entwined round almond trees, bending with rich and ponderous clusters, we discerned the

pale yellow front of the monastery seated mid-way on the side of a mountain, in a calm and majestic retreat, deriving a sort of sylvan solemnity from groups of cypresses, palms, and poplars, and interminable woods of olives. In such abundance are the latter, that the natives, in the fulness of pride and warmth of heart, have an exaggerated saying, 'If only one olive were to be taken from each tree in the island, the amount collected would supply every native with oil sufficient for his ordinary consumption.' This article, so precious to a Spaniard, is in this island so remarkably pure and sweet, that I became reconciled to the use of it. As we approached the monastery, we met several of the holy brethren taking their afternoon walk. We brought provisions and a cook with us, which are very necessary, as the monks never suffer meat, unless brought by strangers, to enter their walls; and their funds were at this time rather at a low ebb, on account of the erection of a noble church adjoining the convent, which as far as it had proceeded, had dipped deeply into their treasury. Owing to this heavy expenditure, they had given notice in the Palma Gazette, that, with an exception of the English, they could not entertain strangers till their new church was finished.

"The superior, an enormous and jolly old man, paid us the compliment of rising from his siesta to receive us, and whilst our dinner was preparing, one of the monks, a very intelligent man, conducted us over the convent and church. The latter is a vast and noble pile, the internal decorations of which were not half finished. The dome and roof were painted in gaudy colours and bad taste by an Italian artist, and the bases of the pilasters were formed of fine

fine marble from the neighbouring rocks. There was a colossal figure of the Virgin holding a silosio, a net of iron with sharp points, which is by way of penance fastened round the thigh, or loins of female penitents, finely executed in wood, intended for one of the lateral chapels of the church. The number of monks was twenty-nine, of whom seventeen had fled from Barcelona. Their cells were handsome, apartments. The gardens of the convent are spacious; in some of them we saw land tortoises. From a long terrace under arches of vines, there is a superb view of the surrounding valleys and mountains. After an excellent repast, we took leave of our prior, who expressed himself warmly attached to the English, and talked much of an entertainment which had been given to him, on board of an English frigate, and in our way to our mules, which were led to the village of Valdeinusa, we were taken to the church, in which we saw nothing worthy of notice, but the levity with which the attendant monk evidently treated the mummery which he shewed us.

“The next day, attended by an Englishman long resident at Palma as an interpreter, we had the honour of an interview with two members of the unfortunate royal family of Spain, Donna Maria Theresa de Vallabriga, and her daughter the Infanta Donna Maria Luisa de Bourbon. The former is the niece of the late Don Pedro Estuardo (Stuart) Marques di San Leonardo, a brother of the old Marshal Duke of Berwick, and who, with the consent of Charles the Third, was married to his youngest brother the Infant Don Louis, upon condition that she should not be acknowledged, nor the issue of the marriage entitled to any privileges. Don Louis had been

bred to the church originally, was raised to the rank of cardinal, and appointed archbishop of Toledo, which he resigned on being dispensed from his vows. Soon after his death, leaving three children, a boy and two girls, it was publicly declared that the early and singular inclination, which these children had exhibited for the church, had determined his majesty to yield to their pious propensities; and accordingly the girls were placed in a convent, and the boy committed to the care of the cardinal Lorenzana, then archbishop of Toledo, and educated in the palace of that town, to which elevated rank he has since succeeded, and is likewise a cardinal and archbishop of Seville. On the death of the king, the eldest of the girls, as before noticed, was married to Godoy the Prince of the Peace, the words of the patent; for the Spaniards deem it impious to say Prince of Peace, an attribute of our Saviour, though commonly called so by the English. Shortly after these nuptials, performed by the brother with royal magnificence, a proclamation appeared, restoring the children of the late Infant Don Louis to their just rights, in which King Charles the Fourth endeavoured to apologize for the conduct of his father towards them, and consequently, had Spain remained in tranquillity, the succession to the Spanish monarchy would have been as open to them, as to the other branches of the royal family, it being generally believed that the cortes, holden upon Charles the Fourth's accession, had rescinded the pragmatic sanction of Philip the Fifth, son to Louis the Fourteenth, by which the crown was limited to male issue alone, and thus the females, as formerly practised in Old Spain, were admitted to an equal right.

“Donna

" Donna Maria Theresa, and her youngest daughter, were living in great retirement in the palace of the Marquis of Sollerick, having recently made their escape, under circumstances of romantic peril and enterprise, attended by a faithful priest, Michael del Puego, from Zaragoza, where the young Infanta had been placed in a convent.

" The former of these two personages was a noble looking and rather dark woman, the latter very fair and of a fine complexion. Donna Maria held the French in such abhorrence, that she avoided making use of the language as much as possible. In our presence, she took an affecting and painful review of the reverses of her fortune, and with tears said, ' though politics have but little at-

tracted my attention, I have long foreseen the subtle intentions of Bonaparte, and the overthrow of the august house to which I belong. What will be our final destiny I know not, nor can I tell where we shall be obliged to seek an asylum, —here she was so affected, that she paused for a minute, and then added, ' I look to Heaven, there is my only consolation ! ' Through the interpreter, I recommended her to seek protection in England ; but the horror she entertained of so long a voyage, and the desire of remaining in any part of Spain that held out for the legitimate throne, seemed to have too full possession of her mind to induce her to attend to the recommendation."

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#### OSAGE INDIANS OF LOUISIANA.

[FROM MAJOR PIKE'S EXPLORATORY TRAVELS.]

" **T**HE country round the Osage villages is one of the most beautiful that the eye ever beheld. The three branches of the river, viz. the large eastern fork, the middle one, (up which we ascended) and the northern all winding round and past the villages, giving the advantages of wood and water, and at the same time the extensive prairie, crowned with rich and luxuriant grass and flowers. gently diversified by rising swells and sloping lawns, presenting to the warm imagination the future seats of husbandry, the numerous herds of domestic animals, which are no doubt destined to crown with joy these happy plains. From the last village on the Missouri to the prairie on the Osage river, we

found plenty of deer, bears, and some turkeys ; from thence to the towns are some elk and deer, but near the villages they become scarce.

" The Osage Indians appear to have emigrated from the north and west, and from their speaking the same language with the Kanes, Ottoes, Missouries, and Mahaws, together with one great similarity of manners, morals, and customs, there is left no room to doubt, that they were originally the same nation ; but separated by those great laws of nature, self-preservation, the love of freedom, and the ambition of various characters, so inherent in the breast of man. As nations purely erratic must depend solely on the chase for subsistence,



subsistence, (unless pastoral, which is not the case with our savages) it requires large tracts of country to afford food for a very limited number of souls; consequently self-preservation obliges them to expand themselves over a large and extensive district. The power of certain chiefs becoming unlimited, and their rule severe, added to the passionate love of liberty, and the ambition of their young, bold, and daring characters, who step forward to head the malcontents, and like the tribes of Israel, to lead them through the wilderness to a new land, the land of promise, which flowed with milk and honey (alas, abounding with deer and buffalo); these characters soon succeeded in leading forth a new colony, and in process of time establishing a new nation. The Mahaws, Missouries, and Ottos, remained on the banks of the Missouri river, such a distance up as to be within the reach of that powerful enemy, the Sioux, who, with the aid of the small-pox, which the former nations unfortunately contracted by their connection with the whites, have reduced the Mahaws, formerly a brave and powerful nation, to a mere cypher, and obliged the Ottos and Missouries, who now form but one nation, to join their forces. The Kanes and Osages came farther to the east, and thereby avoided the Sioux, but fell into the hands of the Jowas, Sacs, Kickapoos; Potowatomies, Delawareas, Shawanoes, Cherokees, Chickasaws, Chactaws, Arkansaws, Chaddoes, and Ictas; and what astonished me extremely, was, that they have not been entirely destroyed by those nations: but this must be attributed only to their ignorance of the enemy's force, their want of concert, wars between themselves, and the great renown the invaders always

acquire by the boldness of the enterprise, on the mind of the invaded.

"The government of the Osages is oligarchical, but still partakes of the nature of a republic; for although the power is nominally vested in a small number of chiefs; yet they never undertake any matter of importance without first assembling the warriors, and proposing the subject in council, there to be discussed and decided on by a majority. Their chiefs are hereditary in most instances, but there are many men who have risen to more influence than those of illustrious ancestry, by their activity and boldness in war. Although there is no code of laws, yet there is a tacit acknowledgement of the right which some have to command on certain occasions; whilst others are bound to obey, and even to submit to corporal punishment, as was instanced in the affair related in my diary of the 29th of July, when Has-ha-ke-da-tungar (or the Big Soldier) whom I had made a partizan to regulate the movements of the Indians, flogged a young Indian with arms in his hands. On the whole, the government may be termed an oligarchical republic, where the chiefs propose and the people decide on all public acts.

The manners of the Osages are different from those of any nation I ever saw, (except those before-mentioned of the same origin) having their people divided into classes, all the bulk of the nation being warriors and hunters, the terms being almost synonymous with them; the rest are divided into two classes, cooks and doctors, the latter of whom likewise exercise the function of priests or magicians, and have great influence on the councils of the nation, by their pretended divinations, interpretations

tations of dreams, and magical performances, an illustration of which will be better given by the following incident, which took place during my stay. Having had all the doctors, or magicians, assembled in the lodge of Ca-ha-ga-tonga, (or Cheveu Blanc) and about five hundred spectators, they had two rows of fires prepared, around the spot where the sacred band was stationed. They commenced the tragic comedy, by putting a large butcher's knife down their throats, the blood appearing to run during the operation very naturally. The scene was continued by putting sticks through their nose, swallowing bones, and taking them out of the nostrils, &c. At length one fellow demanded of me what I would give if he would run a stick through his tongue; and let another person cut off the piece? I replied, a shirt; he then apparently performed his promise seemingly with great pain, forcing a stick through his tongue, and then giving a knife to a bye-stander, who appeared to cut off the piece, which he held to the light for the satisfaction of the audience; then joined it to his tongue, and by a magical charm healed the wound immediately. On demanding of me what I thought of the performance? I replied, I would give him twenty shirts, if he would let me cut off the piece from his tongue. This disconcerted him a great deal, and I was sorry I made the observation.

"The cooks are either for the general use, or attached particularly to the family of some great man; and what is the more singular is, that frequently persons who have been great warriors, and brave men, having lost all their families by disease or in war, and themselves becoming old and infirm, frequently take up the profession of a cook, in which they

do not carry arms; and are supported by the public, or by their particular patron. They likewise exercise the functions of town criers, calling the chiefs to council, or to feasts; and if any particular person is wanted, you employ a crier, who goes through the village calling his name, and informing him he is wanted at such a lodge.

"When received into the Osage village, you immediately present yourself at the lodge of the chief; who receives you as his guest, where you generally eat first, after the old patriarchal style; you are then invited to a feast by all the great men of the village, and it would be a great insult not to comply, at least so far as to taste of their victuals. In one instance, I was obliged to taste of fifteen different entertainments in the same afternoon. You will hear the cooks crying, 'come and eat, such a one gives a feast; come and eat of his bounty.' Their dishes were generally boiled sweet corn in buffalo grease, or boiled meat and pumpkins; but Sans Orielle (or Tetobah) treated me with some tea in a wooden dish, new horn spoons, boiled meat and crullers; he had been in the United States.

"Their towns hold more people in the same space of ground than any place I ever saw; their lodges being posted with scarcely any regularity; each individual building in the manner, direction and dimensions that suit him best; by which means they frequently leave only room for a single man to squeeze between them. Added to this, they have pens for their horses, all within the village, into which they always drive them, at night, in case they think there is any reason to believe an enemy to be lurking in the vicinity. The Osage lodges are generally con-

constructed with upright posts, put firmly in the ground, about twenty feet in height, with a crotch at the top. They are generally about twelve feet distant from each other. In the crotch of these posts are put the ridge poles, over which are bent small poles, the ends of which are brought down and fastened to a row of stakes, of about five feet in height; these are fastened together with three horizontal bars, and form the back walls of the lodge. The gable ends are generally broad slabs, and rounded off to the ridge pole. The whole of the building and sides are covered with matting made of rushes of two or three feet in length, and four feet in width, which are joined together, and entirely exclude the rain. The doors are in the side of the building; and there is generally one on each side; the fires are made in holes in the centre of the lodge, the smoke ascending through apertures left in the roof for the purpose. At one end of the dwelling is a raised platform about three feet from the ground, which is covered with bear skins, and generally holds all the little choice furniture of the master, and on this repose his honourable guests. In fact, with neatness and a pleasing companion, they compose a very comfortable and pleasant summer habitation; but they are left in the winter for the woods: they vary in length from thirty-six to one hundred feet.

"The Osage nation is divided into three villages, and in a few years you may say nations, viz. the Grand Osage, the Little Osage, and those of the Arkansas. The Little separated from the Grand Osage about two years since; and their chiefs, on obtaining permission to lead forth a colony from the grand council of the nation, moved on to the Missouri; but after some years, finding

themselves too hard pressed by their enemies, they again obtained leave to return and put themselves under the protection of the Grand village, and settled down about six miles off. The Arkansas schism was effected by Mr. Pierre Chouteau, ten or twelve years ago, in revenge of Mr. Manuel de Liza, who had obtained from the Spanish government the exclusive trade of the Osage nation by the way of the Osage river, after it had been in the hands of M. Chouteau for nearly twenty years; the latter leaving the trade of the Arkansas, thereby nearly rendered abortive, the exclusive privilege of his rival. He has been vainly promising to the government, that he would bring them back to join the Grand village, but his reception at the Arkansas village must have nearly cured him of that idea. And in fact every reason induces a belief, that the other villages are much more likely to join the Arkansas, which is daily becoming more powerful, than the latter return to its ancient residence; for the Grand and Little Osage are both obliged to proceed to the Arkansas every winter to kill the summer provision: all the nations with whom they are now at war are besides situated to the westward of that river: from whence they get all their horses. These inducements are such, that the young, the bold, and the enterprising are daily emigrating from the Osage village to the Arkansas village. In fact, it would become the interest of our government to encourage that emigration, if they intended to promote the extension of the settlement of Upper Louisiana: but their true policy is to use every method to prevent their elongation from the Missouri.

"They are considered by the nations to the south and west of them,

them, as a brave and warlike people, but are by no means a match for the northern nations, who make use of the rifle, and can combat them two for one, whilst they again may fight those armed with bows, arrows, and lances, at the same disproportion. The humane policy which the United States have held forth to the Indians of accommodating their differences, and acting as mediators between them, has succeeded to a miracle with the Osage of the Grand village and the Little Osage. They have by this means become a nation of quakers, as it respects the nations to the north and east of them, at the same time that they continue to make war on the naked and defenceless savages of the west. An instance of their forbearance was exhibited by an attack made on a hunting party of the Little Osage some time since, on the grand river of the Osage, by a party of Potowatomies, who crossed the river Missouri by the Saline, and found the women and children alone and defenceless. The men, fifty or sixty in number, having found plenty of deer the day before, had encamped out all night. The enemy struck the camp about ten o'clock in the morning, killed all the women and boys who made resistance, also some infants, the whole number amounting to thirty-

four, and led into captivity near sixty, forty-six of whom were afterwards recovered by the United States, and sent under my protection to the village. When the men returned to the camp, they found their families all destroyed or taken prisoners; my narrator had his wife and four children killed on the spot! and yet in obedience to the injunction of their 'Great Father' they forbore to revenge the blow! As an instance of the great influence the French formerly had over this nation, the following anecdote may be interesting: Chtoka (or Wet Stone) a Little Osage, said, 'he was at Braddecks de Feal, with all the warriors who could be spared from both villages; that they were engaged by Mr. M'Cartie, who commanded at fort Chautres, and who supplied them with powder and ball; that the general place of rendezvous was near a lake and large fall, (supposed Niagara) the Kanzas did not arrive until after the battle, but that the Ottoes were present; they were absent from their villages seven months, and were obliged to eat their horses on their return.'

"The Osage raise large quantities of corn, beans, and pumpkins, which they manage with the greatest economy, in order to make them last from year to year; all the agricultural labour is done by women."

INDIANS OF NEW SPAIN.

[From the same]

"THE Kyaways wander on the sources of the Plate, and are supposed to be one thousand and nine men strong. They possess

immense herds of horses, and are at war with both the Pawnees and Ictans, as well as with the Sioux. They are armed with bows, arrows

and lances, and follow the buffalo. This nation, the Ietans, and the Utahs, speak the same language.

"The Utahs wander on the sources of the Rio del Norte; they are supposed to be two thousand warriors strong, are armed in the same manner, and pursue the same game, as the Kyaways, but are a little more civilized, having more connection with the Spaniards, with whom however they are frequently at war. They were at this time at peace with them, but waging war with the Ietans.

"A battle was fought between them and the Ietans, in September 1806, near the village of Taos; there were about four hundred combatants in each army, but were separated by a Spanish Alcalde riding out to the field of battle. There were eight or ten killed on each side. The Utahs gave all the horses they had taken to the Spaniards. This shews, in a strong degree, the influence the Spaniards have over these Indians.

"The Nansahaws are situated to the north west of Santa Fé, and are frequently at war with the Spaniards. They are supposed to be two thousand warriors strong, and are armed in the same manner as the two preceding nations. This nation, as well as all others to the west of them, bordering on California, speak the language of the Appaches and Lee Panis, who are in a line with them to the Atlantic.

"The Appaches are a nation of Indians, who extend from the Black Mountains in New Mexico to the borders of Cogquilla, keeping the frontiers of three provinces in a continual state of alarm and dread, and employing nearly two thousand dragoons to escort the caravans, protect the villages, and revenge the various attacks they are continually making

on the subjects of his catholic majesty. They formerly extended from the entrance of the Rio Grande to the Gulf of California, and have waged a continual warfare, with the exception of short truces, with the Spaniards, from the time they pushed their conquests back from Mexico into the internal provinces. It is extremely difficult to say what their numbers are at the present day, but they must be extremely reduced by their long and constant hostilities, together with the wandering and savage life they lead on the mountains, which is so injurious to an increase of population, and in which they are extremely pinched by famine,

"At the commencement of their warfare, the Spaniards used to take their prisoners and make slaves of them, but finding that their unconquerable attachment to liberty made them surmount every difficulty and danger to return to their mountains, they adopted the practice of sending them to Cuba. This the Appaches no sooner learned than they refused to give or receive quarter, and in no instance have there been any taken since that period, except when surprised asleep, or knocked down and overpowered. Their arms are the bow and arrow, and the lance. The bow forms two semi-circles, with a shoulder in the middle; the back of it is entirely covered with sinews, which are laid on in so nice a manner, by the use of some glutinous substance, as to be almost imperceptible; this gives great force to the elasticity of the weapon. Their arrow is more than the cloth yard of the English, being three feet and a half long, the upper part consisting of some light rush or cane, into which is inserted a shaft of about one foot, made of some hard seasoned light wood, the point is of iron.

iron, cane, or stone, and when the arrow enters the body, in attempting to extract it the shaft comes out of its socket and remains in the wound. With this weapon they shoot with such force as to go through the body of a man, at the distance of one hundred yards; and an officer told me, that in an engagement with them, one of their arrows struck his shield and dismounted him in an instant. Their other weapon of offence is a lance of fifteen feet in length, which with both hands they charge over their heads, managing the horse principally with their knees. With this they are considered as an overmatch for the Spanish dragoons single handed, but for want of the tactic can never stand the charge of a body that cuts in concert: they all have the shield. Some few are armed with guns and ammunition, taken from the Spaniards. These, as well as the archers, generally march to war on foot, but the lance men are always mounted.

Numerous are the anecdotes I heard related of their personal bravery, and the spirit of their partisan corps. Not long before I passed through, as a Cornet with sixty-three dragoons was passing between New Mexico and Biscay, he was surrounded by about two hundred Appaches infantry, and instead of charging through them (as it was on the plain) he ordered his dragoons to dismount and fight with their carbines, by which means he and his whole party fell a sacrifice. Malgares related an instance when he was marching with one hundred and forty men, and was attacked by a party of Appaches, both horse and foot, who continued the fight for four hours. Whenever the Spanish dragoons made a general charge the Appaches cavalry would retreat behind their infantry, who met the

Spaniards with a shower of arrows, on which they immediately retreated, and even the gallant Malgares spoke of his cavalry breaking their infantry as a thing not to be thought of. How quickly would one full squadron of our troops have put them to flight and cut them to pieces! Malgares assured me, that if the men had seconded the efforts and bravery of the Indian chieftain, they must have been defeated and cut to pieces; that in various instances he rallied his men and brought them up to the charge, and when they flew retired indignantly in the rear. Seeing Malgares very actively engaged in forming and bringing up the men, he rode out a-head of his party and challenged him to single combat with his lance. This my friend refused, as he said the chief was one of the stoutest men he knew, carried a remarkably heavy lance, and rode a very fine charger; but one of his corporals, enraged to see them thus braved by the savage, begged permission to meet the infidel. His officer refused his request, and ordered him to keep his ranks; but he reiterating his request, his superior in a passion told him to go.

The Indian chief had turned his horse to join his party, but seeing his enemy advancing, turned, and giving a shout, met him at full speed. The dragoon thought to parry the lance of his antagonist, which he in part effected, but not throwing it quite high enough, it entered his neck in front, and came out at the nape, when he fell dead to the ground, and his victorious enemy gave a shout of victory, in which he was joined by all his followers. This enraged the Spaniards to such a degree, that they made a general charge, in which the Indian cavalry again retreated, notwithstanding the entreaties of their gallant

lant leader. In another instance a small smoke was discovered on the prairie, and three poor savages were surrounded by one hundred dragoons, and ordered to lay down their arms. They smiled at the officer's demand, and asked him if he could suppose that men who had arms in their hands would ever consent to become slaves? He being loth to kill them, held a conference for an hour, when finding that his threats had as little effect as his entreaties, he ordered his men to attack them at a distance, keeping out of the reach of their arrows, and firing at them with their carbines, which they did, the Indians never ceasing to resist as long as life remained.

"In a truce, which was once held, a captain was ordered to treat with some of the bands; he received their deputies with hauteur, and they could not come to terms; the truce was broken, the Indians retreated to their fastnesses in the mountains. In a day or two this same officer pursued them. They were in a place called the Poor, in the Mountains, where only two or three dragoons could enter at a time, and there were rocks and caves on the flanks. Between these the Indians secreted themselves, until a number of the Spaniards had come in, when the Indians sounded a trumpet, and the attack began and continued on the side of the Appaches, until the captain fell, when the Indian chief caused the firing to cease, saying, that 'the man who had so haughtily spurned the proffered peace was now dead.' They made prisoner (for once) of a young officer who during the truce had treated them with great kindness, and sent him home safe and unburnt.

"Some of the bands have made temporary truces with the Spaniards, and received from them twenty-five

cents per diem each. These people hang round the fortifications of the country, drink, shoot, and dissipate their time; they are haughty and independent, and great jealousy exists between them and the Spaniards. An officer was under trial when I was in the country, for anticipating an attack on his fortress, by attacking the chiefs of the supposed conspiracy, and putting them to death before they had time to mature and carry their plan into operation. The decision of his case I never learnt; but those savages who have been for some time around the forts and villages, become by far the most dangerous enemies the Spaniards have when hostile, as they acquire the Spanish language, manners, and habits, and passing through the populated parts under the disguise of the civilized and friendly Indians, commit murders and robberies without being suspected. There is in the province of Coahuila a partisan by the name of Ralph, who, it is calculated, has killed more than three hundred persons. He comes into the town under the disguise of a peasant, buys provision, goes to the gambling tables and to mass, and before he leaves the village is sure to kill some person, or carry off a woman, which he has frequently done. Sometimes he joins travellers on the road, insinuates himself into their confidence, and takes his opportunity to assassinate them. He has only six followers, and from their knowledge of the country, their activity, and cunning, he keeps about three hundred dragoons continually employed. The government has offered one thousand dollars for his head.

"The civilized Indians of the province of New Mexico consist of what were formerly twenty-four, different bands, the several names of

of which I was not able to learn. But the Keres were one of the most powerful; they form a present the population of St. Domingo, St. Philip's and Deis, and one or two other towns. They are men of large stature, round, full visage, fine teeth, and appear to be of a gentle, tractable disposition; they resemble the Osage more than any nation in my knowledge. Although they are not the vassals of individuals, yet they may properly be termed the slaves of the state; for they are compelled to do military duty, drive mules, carry loads, or in fact perform any other act of duty or bondage that the will of the commandant of the district, or any passing military tyrant, chooses to ordain. I was myself eye witness of a scene which made my heart bleed for these poor wretches; at the same time that it excited my indignation and contempt, that they should suffer themselves with arms in their hands to be beaten and knocked about, by beings no ways their superiors, unless a small tint of complexion could be supposed to give that superiority. Before we arrived at Santa Fé, one night we rested near one of the villages where resided the families of two of our horsemen. They took the liberty to pay them a visit in the night. Next morning the whole were called up, and because they refused to testify against their imprudent companions, several were knocked down from their

horses by the Spanish dragoons with the butt end of their lances; yet with the blood streaking down their visage, and arms in their hands, they stood cool and tranquil? not a frown, not a word of discontent, or paffiation escaped their lips. Yet, what must have been the boiling indignation of their souls, at the insults offered by the wretch, clothed with a little brief authority? But the day of retribution will come in thunder and in vengeance.

"These savages are armed with bows and arrows, with lances or escopates. Although they are said to be converted to Christianity, they still retain many of their ancient superstitious feasts and ceremonies, one of which is so remarkable, that it must not be passed unnoticed. Once a year there is a great festival prepared for three successive days, which they spend in eating, drinking, and dancing: near this scene of amusement is a dark cave, into which not a glimpse of light can penetrate, and in which are prepared places to repose on. To this place persons of both sexes and of all ages, (after puberty) and of all descriptions, repair in the night, where there is an indiscriminate commerce of the votaries, as chance, fortune, and events may direct. These revels certainly have great affinity to some of the ancient mystic rites of Greece and Rome."



GENERAL REMARKS ON NEW SPAIN.

[From the same.]

"TO become acquainted with all the civil and political institutions of a country, requires a perfect knowledge of the language, a free ingress to the archives, and a residence of some years. Even then we can scarcely distinguish between the statute law and the common law, derived from custom, morals, and habits; under these circumstances, it cannot be expected that I should be able to say much on the subject, as I possess none of the above advantages; but I will offer a few observations.

"To a stranger, it is impossible to define the limits of the military and ecclesiastical jurisdictions, in every affair which relates to the citizens; and, in fact, with the soldiery, the force of superstition is such, that I am doubtful whether they would generally obey one of their officers in direct violation of the injunction of their religious profession. The audiences of Mexico and Guadalaxara were formed, no doubt, as a check on the immense power of the Vice-roy. The number of members composing each, is to me unknown; but they are formed of the Vice-roy as president with two votes, generals, and bishops. To their jurisdiction, the appeals from the judgment of the intendants, and all subordinate officers, may be made in civil cases; but the military and ecclesiastical decisions are distinct: yet for all this sim-

blance of justice, should an individual dare to make the appeal, and not succeed in establishing the justice of his claims to redress, he is certainly ruined. And where justice is so little attended to when opposed to power and wealth, as in the Spanish provinces, the appeal is a desperate remedy. This tribunal, or legislative body, enacts all the laws for the general regulations of their divisions of the kingdom.

"The captain generalship of the internal provinces appeared to me to be much more despotic, for the laws or regulations were issued in the form of an order, merely, without any kind of a preamble whatever, except sometimes it was said, 'by order of the king'. And such was the style of the governors of provinces.

"*Morals, Manners, &c.*—For hospitality, generosity, docility, and sobriety, the people of New Spain exceed any nation perhaps on the globe: but in national energy, or patriotism, enterprize of character, and independence of soul, they are perhaps the most deficient. Yet there are men who have displayed bravery to a surprising degree, and the Europeans who are there, cherish with delight the idea of their gallant ancestry. Their women have black eyes and hair, fine teeth, and are generally brunettes. I met but one exception to this rule at Chihuahua,

Chibushua, of a fair lady, and she by way of distinction was called the girl with light hair. They are all inclining a little to *en bon point*, but none (or few) are elegant figures. Their dresses are generally short jackets and petticoats, and high beel shoes, without any head dress; over this they have a silk wrapper which they always wear, and when in the presence of men affect to bring it over their faces; but as we approached the Atlantic and our frontiers, we saw several ladies who wore the gowns of our country-women, which they conceive to be more elegant than their ancient custom. The lower class of the men are generally dressed in broad brimmed hats, short coats, large waistcoats, and small-clothes always open at the knees, owing, I suppose, to the greater freedom it gives to the limbs on horseback, a kind of leather boot or wrapper bound round the leg, somewhat in the manner of our frontier men's leggins, and gartered on. The boot is of a soft pliable leather, but not coloured. In the eastern provinces the dragons wear over this wrapper a sort of jack-boot made of seal leather, to which are fastened the spurs by a rivet, the girth of which are sometimes near an inch in length. But the spurs of the gentlemen and officers, although unknown to our ideas, are frequently ornamented with raised silver work on the shoulders; and the strap embroidered with silver and gold thread. They are always ready to mount their horses, on which the inhabitants of the internal provinces spend nearly half the day. This description will apply generally for the dress of all the men of the provinces for the lower class, but in the towns, amongst the more fashionable ranks, they dress after the European

or United States mode, with not more distinction than we see in our cities from one six months to another. Both men and women have remarkably fine hair, and pride themselves in the display of it.

"Their amusements are music, singing, dancing, and gambling; the latter is strictly prohibited, but the prohibition is not much attended to. The dance of ——— is performed by one man and two women, who beat time to the music, which is soft and voluptuous, but sometimes changes to a lively gay air, whilst the dancers occasionally exhibit the most indelicate gestures. The whole of this dance impressed me with the idea of an insulated society of once civilized beings, but now degenerated into a medium state between the improved world and the children of nature. The fandango is danced in various figures and numbers. The minuet is still danced by the superior class only: the music made use of is the guitar, violin, and singers, who in the first described dance, accompany the music with their hands and voices, having always some words adapted to the music, which are generally of such a tendency as would in the United States occasion every lady to leave the room.

Their games are cards, billiards, horse-racing, and cock-fighting, the first and last of which are carried to the most extravagant lengths, the parties losing and winning immense sums. The present commandant-general is very severe with his officers in these respects, frequently sending them to some frontier post, in confinement for months, for no other fault than having lost large sums at play.

"At every town of consequence

is a public walk, where the ladies and gentlemen meet and sing songs, which are always on the subject of love, or the social bond. The females have fine voices, and sing in French, Italian, and Spanish, the whole company joining in the chorus. In their houses the ladies play on the guitar, and generally accompany it with their voices. They either sit down on the carpet cross-legged, or joll on a sofa. To sit upright in a chair appeared to put them to great inconvenience, and although the better class would sometimes do it on our first introduction, they soon demanded liberty to follow their old habits. In their eating and drinking they are remarkably temperate. Early in the morning you receive a dish of chocolate and a cake; at twelve you dine on several dishes of meat, fowls, and fish: after which you have a variety of confectionary, and indeed an elegant dessert: then drink a few glasses of wine, sing a few songs, and retire to take the siesta, or afternoon nap, which is done by rich and poor; and about two o'clock the windows and doors are all closed, the streets deserted, and the stillness of midnight reigns throughout. About four o'clock they rise, wash and dress, and prepare for the dissipation of the night. About eleven o'clock some refreshments are offered, but few take any, except a little wine and water and a little candied sugar.

"The government have multiplied the difficulties for Europeans mixing with the Creoles or *Mestizos*, to such a degree, that it is difficult for a marriage to take place. An officer wishing to marry a lady not from Europe, is obliged to acquire certificates of the purity of her de-

scendancy for two hundred years back, and transmit them to the viceroy, when the licence will be returned; but should she be the daughter of a person of the rank of captain or upwards, this nicety vanishes, as their rank purifies the blood of the descendants.

"The general subjects of the conversation of the men are women, money, and horses, which appear to be the only objects in their estimation worthy of consideration. Having united the female sex with their money and their beasts, and treated them too much after the manner of the latter, they have eradicated from their breasts every sentiment of virtue, or of ambition, to pursue the acquirements which would make them amiable companions, instructive mothers, or respectable members of society. Their whole souls, with a few exceptions, like the Turkish ladies, are taken up in music, dress, and the little blandishments of voluptuous dissipation. Finding that the men only require these as objects of gratification to the sensual passions, they have lost every idea of the feast of reason and the flow of soul which arise from the intercourse of two refined and virtuous minds, whose inmost thoughts are open to the inspection and admiration of each other, and whose refinements of sentiment heighten the pleasures of every gratification.

"The beggars of the city of Mexico alone are estimated at sixty thousand souls; what must be the number through the whole kingdom? And what reason can it be owing to, that, in a country superior to any in the world for riches in gold and silver, producing all the necessities of life, and most of all luxuries, these should be such a great proportion

proportion of the inhabitants in want of bread and clothing? It can only be accounted for by the tyranny of the government, and the luxuries of the rich; the government striving by all the local restrictions possibly to be invented, without absolutely driving the people to desperation, to keep Spanish America dependant on Europe.

*Trade, Commerce, Manufactures, and Revenue.*—The trade and commerce of New Spain are carried on with Europe and the United States by the port of Vera Cruz solely, and with the East Indies and South America by Acapulco, and even then under such restrictions of productions, manufactures, and time, as to render it almost of no consequence as to the general prosperity of the country. Were all the numerous bays and harbours of the Gulph of Mexico and California opened to the trade of the world, and a general licence given to the cultivation of all the productions which the country is capable of yielding, with freedom of exportation and importation, with proper duties on foreign goods, the country would immediately become rich and powerful, a proper stimulus would be held out to the poor to labour, when certain of finding a quick and ready sale for the productions of their plantations or manufactories. The country abounds in iron ore, yet all the iron and steel, and articles of manufactures, are obliged to be brought from Europe, the manufacturing or working of iron being strictly prohibited. This occasions the necessary utensils of husbandry, arms, and tools, to be enormously high, and forms a great check to agriculture, improvements in manufactures, and military skill. The works of the Mexicans in gold, sil-

ver, and painting, show them naturally to have a genius, which, with cultivation and improvement, might rival the greatest masters of either ancient or modern schools. Their dispositions and habits are peculiarly calculated for sedentary employments, and I have no doubt, if proper establishments were made, they would soon rival, if not surpass, the most extensive woollen, cotton or silk manufactures of Europe. Their climate is adapted for raising the finest cotton in the world, and their sheep possess all the fineness of wool, for which they are so celebrated in Spain.—Besides this they have immense quantities of raw materials, which they have on hand, wool selling for a mere song, and in fact, they scarcely take the half from the fleece of the sheep for the coarse manufactories of the country, and for making beds.

“I cannot presume to state the revenues of the country, but am credibly informed, that the mint coins per annum at least fifty millions of dollars in silver, and fourteen millions of dollars in gold, the one-fifth of which amounts to twelve millions eight hundred thousand. The duties on foreign goods, and the amount paid by the purchasers of monopoly, may make four millions more, which would make the annual revenue sixteen millions eight hundred thousand. The civil list of the kingdom amounts to five hundred and eighty thousand. The military, seven millions one hundred and eighty-nine thousand two hundred, making with the civil list seven millions seven hundred and sixty thousand two hundred; which deducted from sixteen millions eight hundred thousand, leaves a clear revenue

nue for the king from his Mexican dominions of nine millions thirty thousand, eight hundred. The clergy are not included in this estimate, as they receive their revenues through their own proper channel; and although the best paid officers in the government cost the king nothing in a direct way, yet the dreadful manner in which they oppress and impoverish his subjects, would render it better policy to abolish their impositions, and pay them a direct salary out of the public treasury."

# RETURN OF MILITARY FORCE IN NEW SPAIN.

General Remarks on New Spain.

[13]

Provinces and Places.	Disciplined and Regular European Troops.				Regular Troops of the Country.				Militia, with Regular Field Officers, and under Pay.				Probable armed Citizens.	
	Cavalry.	Artillery.	Infantry.		Cavalry.	Artillery.	Infantry.		Cavalry.	Artillery.	Infantry.		Fire-arms.	Bow, Arrow, and Lance.
Xalapa Ina. Vera Cruz .....	....	200	2000		2000	....	....		3000	....	1000			
Vera Cruz and Sea-ports .....	....	800	2000		....	....	....		600	....	2000			
Mexico .....	1000	....	....		....	....	1000		3400	1000	....			
Different Prov. & V. Royalty .....	....	....	....		....	....	....		....	....	....		15,000	80,000
New Mexico .....	....	....	....		100	....	....		....	....	....		1600	4000
Biscay .....	....	....	....		1100	....	....		....	....	....		5000	8000
Senora .....	....	....	....		900	....	200		....	....	....		5000	8000
Sinaloa .....	....	....	....		100	....	....		....	....	....		3000	6000
Cogquilla .....	....	....	....		400	....	....		....	....	....		1000	2000
Texas .....	....	....	....		488	....	....		....	....	....		500	1800
Total .....	1000	1000	4000		5088	....	1200		7000	1000	3000		30,300	109,000

CAVALRY. ARTILLERY. INFANTRY.				CAVALRY ...			
European .....	1000	1000	4000	Artillery ..	2000		
Regular Troops mixed .....	5088	....	1200	Infantry ...	8200		
Trained Militia .....	7000	1000	3000				
Total ....	13,088	2000	8200	Total ...	23,288	Disciplined Effective Force.	
					30,500	Undisciplined Militia.	
					109,000	Bow, Arrow, and Lance-men.	
					162,788	Total Force.	

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"The European troops are some of the choicest regiments from Spain, consequently we may put them on the supposition, that they are well disciplined and officered by men of honour and science. The regular troops of the kingdom, who are in the vice-royalty, acting from the stimulus of ambition and envy, are supposed to be equal to their brethren from Europe. The militia with the regular officers are likewise good troops, but are not held in such high estimation as the other corps. These three corps, forming a body of twenty-three thousand two hundred and eighty-eight men, may be called the regular force of the kingdom, as the militia of one hundred and thirty-nine thousand five hundred would in my estimation be of no more consequence against the regular troops of any civilized power, than the ancient Aborigines of the country were against the army of Cortes. The particular observations which follow, must be considered as applying to the troops of the internal provinces, unless specified to the contrary. The appearance of the Spanish troops is certainly (at a distance) *à la militaire*. Their lances are fixed to the side of the saddle under the left thigh, and slant about five feet above the horse; on the right the carbine is slung in a case to the front of the saddle (or pommel) crossways, the breech to the right hand, and on each side of the saddle behind the rider is a pistol; below the breech of the carbine is slung the shield, which is made of sole leather trebled, sewed together with thongs, with a band on the inside, to slip the left arm through: those of the privates are round, and about two feet diameter. The officers and non-commissioned officers have them of an oval form, bending on both sides, in order to

permit the arrow to glance, and they have in general the arms of Spain with Don Carlos the fourth, gilt on the outside, with various other devices, which add much to the elegance of their appearance on horseback, but are only calculated to be of service against savages, who have no fire-arms. The dragoons of the vice-royalty do not make use of the lance or shield, but are armed, equipped, and clothed after the modern manner, as are also the dragoons of the eastern provinces. When they recently expected to be opposed by the American troops, they were deprived of their lance and shield, and received the straight cutlass in their stead.

"Their dress is a short blue coat, with a red cape and cuff without facings, leather or blue cotton velvet small-clothes and waistcoat; the small-clothes always open at the knees: the wrapping boot with the jack boot, and permanent spurs over it; a broad brimmed high crowned wool hat with a ribbon round it of various colours, generally received as a present from some female, which they wear as a badge of the favour of the fair sex, and a mark of their gallantry.

"Their horses are small and slender limbed, but very agile, and are capable of enduring great fatigue. The equipments of the horses, are, to our ideas, awkward, but I believe them superior to the English, and they have the advantage over us, as to the skill of the rider as well as the quality of the horse, as their bridles have a strong curb, which gives them so great a mechanical force that I believe it almost practicable with it to break the jaw of the horse. The saddle is made after the Persian model, with a high projecting pommel, or, as anciently termed, *bow*, and is likewise raised behind:

behind; this is merely the tree. It is then covered by two or three coats of carved leather, and embroidered workmanship, some with gold and silver in a very superb manner. The stirrups are of wood closed in front, carved generally in the figure of a lion's head or some other beast; they are very heavy, and to us present a very clumsy appearance. The horseman seated on his horse has a small bag tied behind him, his blankets either under him or lying with his cloak between his body and the bow, which makes him at his ease. Thus mounted it is impossible for the most vicious animals to dismount them. They will catch another horse, when both are running nearly at full speed, with a noose and hair rope, with which they will soon choke down the beast they are pursuing. In short, they are probably the most expert horsemen in the world.

"At each port is a store, called the king's, where it was the original intention of the government that the soldiers should be supplied with provisions, clothing, arms, &c. at a cheap rate; but it being a post generally given to some young officer to make his fortune, they are subject to great impositions. When a dragoon joins the service he receives from the king five horses and two mules, and this number he is always obliged to keep good from his own pocket; but when he is discharged, the horses and mules receive the discharge mark, and become his private property. They engage for five or ten years, at the option of the soldier. But in the bounty there is a very material difference. It is extremely easy to keep up the corps, as a private dragoon considers himself upon an equality with most of the citizens, and infinitely superior to the lower

class; and it is not unrequent to see men of considerable fortune marrying the daughters of sergeants and corporals.

"The pay of the troops of New Spain varies with the locality, but may be averaged in the internal provinces as follows:

"A colonel, four thousand five hundred dollars per annum; lieutenant-colonel, four thousand; major, three thousand; captain, two thousand four hundred; first lieutenant, one thousand five hundred; second lieutenant, one thousand; ensign, eight hundred; sergeant, three hundred and fifty; corporal three hundred; private, two hundred and eighty-eight. With this pay they find their own clothes, provisions, arms, accoutrements, &c. after the first equipments.

"Corporal punishment is contrary to the Spanish ordinances; they punish by imprisonment, putting in the stocks, and death; but as a remarkable instance of the discipline and regularity of conduct of the provincial troops, I may mention, that although marching with them, and doing duty as it were for nearly four months, I never saw a man receive a blow, or put under confinement for one hour. How impossible would it be to regulate the turbulent dispositions of the Americans with such treatment? In making the foregoing remark, I do not include officers, for I saw more rigorous treatment exercised towards some of them than ever was practised in our army.

"The discipline of their troops is very different from ours: as to tactics, or military manœuvres, they are not held in much estimation; for during the whole of the time I was in the country, I never saw a corps of troops exercising as dragoons, but frequently marching by platoons,



platoons, sections, &c. in garrison, where they serve as infantry, with their carbines. In these manoeuvres they were also very deficient. On a march, a detachment of cavalry generally encamp in a circle. They relieve their guards at night, and as soon as they halt the new guard is formed on foot, with their carbines, and then march before the commandant's tent, where the commanding officer of the guard cries the invocation of the Holy Virgin three times. The commanding officer replies, it is well. They then retire and mount their horses, and are told off, some to act as guard of the horses, as cavalry; others as guard of the camp, as infantry. The old guards are then paraded and relieved, and the new centinels take post. The centinels are singing half their time, and it is no uncommon thing for them to quit their post to come to the fire, go for water, &c. In fact, after the officer is in bed, frequently the whole guard comes in; yet I never knew any man punished for these breaches of military duty.

" Their mode of attack is by squadrons on the different flanks of their enemies, but without regularity or concert, shouting, hallooing, and firing their carbines, after which, if they think themselves equal to the enemy, they charge with a pistol and then the lance. But from my observations on their discipline, I have no hesitation in declaring that I would not be afraid to march over a plain with five hundred infantry, and a proportionate allowance of horse artillery of the United States army, in the presence of five thousand of these dragoons. Yet, I do not presume to say, that an army with that inferiority of numbers would do to oppose them, for they would cut off your supplies, and harass your march and camp night and

day, to such a degree as to oblige you in the end to surrender to them without ever having come to action; but if the event depended on one engagement, it would terminate with glory to the American arms. The conclusion must not however be drawn, that I infer from this, they are deficient in physical firmness more than other nations, for we see the savages, five hundred of whom would on a plain fly before fifty bayonets, on other occasions brave danger and death in its most horrid shapes, with an undaunted fortitude, never surpassed by the most disciplined and hardy veterans. But it arises solely from the want of discipline and confidence in each other, as is always the case with undisciplined corps; unless stimulated by the god-like sentiment of love of country, which these poor fellows know nothing of.

" The travelling food of the dragoons in New Mexico, consists of a very excellent species of wheat biscuit, and shaved meat well dried, with a vast quantity of red pepper, of which they make bouilli and then pour it on their broken biscuit, when it becomes soft and excellent eating. Further south they use great quantities of parched corn-meal and sugar, as practised by our hunters, each dragoon having a small bag. They thus live, when on command, on an allowance which our troops would conceive little better than starving, never, except at night, attempting to eat any thing like a meal, but biting a piece of biscuit, or drinking some parched-meal and sugar, with water, during the day.

" From the physical as well as moral properties of the inhabitants of New Spain, I do believe they are capable of being made the best troops in the world, possessing sobriety, enterprise, great physical force,

force, docility, and a conception equally quick and penetrating.

The modes of promotion in the interior provinces are singular, but probably productive of good effects. Should a vacancy of first lieutenant occur in a company, the captain commanding nominates, with the senior second lieutenant (who by seniority would fill the vacancy) two other lieutenants to the general, giving his comments on the three. The general selects two, for nomination to the court, from whom is selected the fortunate candidate, whose commission is made out and forwarded. As the letters of nomination are always kept secret, it is impossible for the young officers to say, who is to blame; should they be disappointed, and the fortunate is in a direct way to thank the king only for the ultimate decision. The method is the same with the superior grades to the colonel.

The king of Spain's ordinances for the government of his army are generally founded on justice and a high sense of honour; I could not procure a set from any of the officers to take to my quarters, consequently my observations on them were extremely cursory. They provide that no old soldier shall ever be discharged the service unless for infamous crimes. When a man has served with reputation for fifteen years and continues, his pay is augmented; twenty years he receives another augmentation; twenty-seven years he receives the brevet rank and pay of an ensign, and thirty-two those of a lieutenant, &c. These circumstances are a great stimulus, although none in a thousand arrive at the third period, when they are permitted to retire from the service with full pay and emoluments. All sons of captains, or of grades superior, are entitled to enter the

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king's school as cadets, at the age of twelve years. The property of an officer or soldier, who is killed on the field of battle, or dies of his wounds, is not liable to be taken for debt, and is secured, as well as the king's pension, to the relatives of the deceased.

Court martials for the trial of a commissioned officer, must be formed of general officers; but this clause subjects the officers of the provinces to a great species of tyranny, for the commanding general has taken upon himself to punish for all offences not capital, consequently according to his own judgment and prejudices, and from which there is only an appeal to the king. Difficult indeed must it be for the complaints of a subaltern to reach the ears of his majesty through the numerous crowds of sycophants who surround him, one half of whom are probably in league with the oppressor. This practice likewise deprives an officer of the most sacred of all rights, the being tried by his peers, for should he be sent to Mexico or Europe for trial, it is possible he may not be able to take half the testimony which is necessary to his complete justification.

There is another principle defined by the ordinances which has often been the cause of disputes in the service of the United States, viz. The commandant of a post in the Spanish service, if barely a captain, receives no orders from a general, should one arrive at his post, unless that general should be superior in authority to the person who posted him; for, says the ordinance, he is responsible to the king alone for his post. This principle, according to my ideas, is very injurious to the interest of any country that adopts it. We will say for example that a post of great importance, con-

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taining immense military stores, is likely to fall into the hands of the enemy; a superior officer to the commandant receives the information, and repairs to the post, and orders him immediately to evacuate it. The commandant feeling himself only responsible to the authority who placed him in that position, refuses to obey, and the magazines and place are lost! The principle is likewise subversive of the very foundation of military subordination and discipline, whereby an inferior should in *all cases* obey a superior, who alone should be responsible for the effect arising from the execution of his orders. It will readily be believed, that in thus advocating implicit obedience to the orders of a superior, I do not suppose the highest improbabilities, or impossibilities, such as a command from him to turn your arms against the constituted authority of your country, or to be an engine of his tyranny, or the pandar of his vices; these are cases wherein a man's reason alone must direct him, and are not and cannot be subject to any human rule whatever.

*Religion.* Its forms are topics with which I am very imperfectly acquainted, but having made some enquiries and observations on the subject, I will freely communicate them, fearful at the same that I may lay myself open to the severe criticism of persons who have in any degree applied themselves to the study of theology or the ritual of the Catholic church.

"The kingdom of New Spain is divided into four archbishopricks, viz. Mexico, Guadalaxara, Durango, and St. Luis Potosi; under these again are the subbishopricks, deacons, curates, &c. each of whom is subject and accountable to his immediate chiefs for the districts com-

mitted to his charge; and the whole are again subject to the ordinances of the high court of inquisition, held at the capital of Mexico; whence are fulminated the edicts of censure against the heresies and impious doctrines of the modern philosophy both as to politics and religion. I am credibly informed that the influence of that tribunal is greater in his Catholic Majesty's Mexican dominions, than in any catholic country in Europe, or perhaps in the world. A few years since they condemned a man to the flames, for asserting and maintaining some doctrine which they deemed heretical; and also a Jew who was imprudent enough to take the image of Christ from the cross and put it under the sill of his door, saying privately, He would make the dogs walk over their God. This court likewise examines and condemns all books of a modern sentiment either as *for* religion or politics, and excommunicates any one in whose hands they may be found. I recollect to have seen one of its decrees published in the Mexican gazette, condemning a number of books as heretical and contrary to the sacred principles of the Holy Catholic Church, and the peace and durability of the government of his Catholic Majesty. Amongst these were mentioned Helvetius on man, J. J. Rousseau's Works, Voltaire's, Mirabeau's, and a number of others of that description, and even at so great a distance as Chibushua an officer dared not take Pope's Essay on Man to his quarters, but used to come to mine to read it.

"The salaries of the archbishops are superior to those of any officers in the kingdom, that of the bishop of Mexico being estimated at one hundred and fifty thousand dollars per annum, while the viceroy has but  
eighty

eighty thousand, and fifty thousand allowed for his table, falling short of the bishop twenty thousand dollars. These incomes are raised entirely from the people, who pay no tax to the king, but give one tenth of their yearly income to the clergy; besides the fees of confessions, bulls, burials, baptisms, marriages, and a thousand other impositions, which the corruption of priestcraft has introduced, and have been kept up by the superstition and ignorance of the people. Notwithstanding all this, the inferior clergy, who do all

the slavery of the office, are liberal and well-informed men. I scarcely saw one who was not in favour of a change of government. They being generally Creoles by birth, and always kept in subordinate grades, without the least shadow of a probability of rising to the superior dignities of the church, their minds have been soured to such a degree, that I am confident in asserting they will lead the van, whenever the standard of independence is raised in the country."

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TEMPLE AND RITES OF JUGGERNAUT IN ORISSA.

[FROM DR. BUCHANAN'S CHRISTIAN RESEARCHES IN ASIA.]

Buddrock, in Orissa, May 30, 1806.

"WE know that we are approaching Juggernaut (and yet we are more than fifty miles from it), by the human bones which we have seen for some days strewed by the way. At this place we have been joined by several large bodies of pilgrims, perhaps 2000 in number, who have come from various parts of Northern India. Some of them, with whom I have conversed, say that they have been two months on their march, travelling slowly in the hottest season of the year, with their wives and children. Some old persons are among them who wish to die at Juggernaut. Numbers of pilgrims die on the road; and their bodies generally remain unburied. On a plain by the river, near the pilgrim's caravansera at this place, there are more than a hundred skulls. The dogs, jackals, and vultures seem to live here on human prey. The vultures exhibit a shocking tameness. The obscene

animals will not leave the body sometimes till we come close to them. This Buddruck is a horrid place. Wherever I turn my eyes, I meet death in some shape or other.— Surely Juggernaut cannot be worse than Buddruck.

In sight of Juggernaut, 12th June, 1806.

—"Many thousands of pilgrims have accompanied us for some days past. They cover the road before and behind, as far as the eye can reach. At nine o'clock this morning, the temple of Juggernaut appeared in view at a great distance. When the multitude first saw it, they gave a shout, and fell to the ground and worshipped. I have heard nothing to-day but shouts and acclamations by the successive bodies of pilgrims. From the place where I now stand I have a view of a host of people like an army, encamped at the outer gate of the town of Juggernaut; where a guard of soldiers is posted to prevent their entering

entering the town, until they have paid the pilgrim's tax.—I passed a devotee to-day, who laid himself down at every step, measuring the road to Juggernaut by the *length of his body*, as a penance of merit to please the God.

Outer Gate of Juggernaut,  
12th June, 1806.

“—A disaster has just occurred. As I approached the gate, the pilgrims crowded from all quarters around me, and shouted, as they usually did when I passed them on the road, an expression of welcome and respect. I was a little alarmed at their number, and looked round for my guard. A guard of soldiers had accompanied me from Cuttack, the last military station; but they were now about a quarter of a mile behind with my servants and the baggage. The pilgrims cried out that they were entitled to some indulgence, that they were poor, they could not pay the tax; but I was not aware of their design. At this moment, when I was within a few yards of the gate, an old Sanyassee (or holy man) who had travelled some days by the side of my horse, came up and said, ‘Sir, you are in danger; the people are going to rush through the gate when it is opened for you.’ I immediately dismounted, and endeavoured to escape to one side; but it was too late. The mob was now in motion, and with a tumultuous shout pressed violently towards the gate. The guard within seeing my danger opened it, and the multitude rushing through, carried me forward in the torrent a considerable space: so that I was literally borne into Juggernaut by the Hindoos themselves. A distressing scene followed. As the number and strength of the mob increased, the narrow way was choked up by

the mass of people; and I apprehended that many of them would have been suffocated, or bruised to death. My horse was yet among them. But suddenly one of the side-posts of the gate, which was of wood, gave way and fell to the ground. And perhaps this circumstance alone prevented the loss of lives. Notice of the event was immediately communicated to Mr Hunter, the superintendent of the temple, who repaired to the spot, and sent an additional guard to the inner gate, lest the people should force that also; for there is an outer and an inner gate to the town of Juggernaut; but both of them are slightly constructed. Mr. Hunter told me that similar accidents sometimes occur, and that many have been crushed to death by the pressure of the mob. He added, that sometimes a body of pilgrims (consisting chiefly of women and children and old men), trusting to the physical weight of their mass, will make, what he called a *charge* on the armed guards, and overwhelm them; the guards not being willing, in such circumstances, to oppose their bayonets.

Juggernaut, 14th June, 1806.

“—I have seen Juggernaut. The scene at Buddruck is but the vestibule to Juggernaut. No record of ancient or modern history can give, I think, an adequate idea of this valley of death; it may be truly compared with the valley of Hin-nom. The idol called Juggernaut has been considered as the Moloch of the present age; and he is justly so named, for the sacrifices offered up to him by self-devotement, are not less criminal, perhaps not less numerous, than those recorded of the Moloch of Canaan. Two other idols accompany Juggernaut, namely, Boloram and Shubudra, his brother

ther and sister; for there are three deities worshipped here. They receive equal adoration, and sit on thrones of nearly equal height.

—This morning I viewed the temple; a stupendous fabric, and truly commensurate with the extensive sway of 'the horrid king.' As other temples are usually adorned with figures emblematical of their religion, so Juggernaut has representations (numerous and varied) of that vice, which constitutes the essence of *his* worship. The walls and gates are covered with indecent emblems, in massive and durable sculpture. I have also visited the sand plains by the sea, in some places whitened with the bones of the pilgrims; and another place, a little way out of the town, called by the English the Golgotha, where the dead bodies are usually cast forth, and where dogs and vultures are ever seen.

"The grand Hindoo festival of the Rutt Jattrā, takes place on the 18th inst. when the idol is to be brought forth to the people. I reside during my stay here at the house of James Hunter, Esq. the Company's collector of the tax on pilgrims, and superintendant of the temple, formerly a student in the College of Fort William; by whom I am hospitably entertained, and also by Captain Patton, and Lieut. Woodcock, commanding the military force. Mr. Hunter distinguished himself at the College by his proficiency in the Oriental languages. He is a gentleman of polished manners and of classical taste. The agreeable society of these gentlemen is very refreshing to my spirits in the midst of the present scenes. I was surprised to see how little they seemed to be moved by the scenes of Juggernaut. They said they were now so accus-

tomed to them, they thought little of them. They had almost forgot their first impressions. Their houses are on the sea-shore, about a mile or more from the temple. They cannot live nearer, on account of the offensive effluvia of the town. For, independently of the enormity of the superstition, there are other circumstances which render Juggernaut noisome to an extreme degree. The senses are assailed by the squalid and ghastly appearance of the famished pilgrims; many of whom die in the streets of want or of disease; while the devotees, with clotted hair and painted flesh, are seen practising their various austerities, and modes of self-torture. Persons of both sexes, with little regard to concealment, sit down on the sands close to the town in public view; and the *sacred bulls* walk about among them and eat the ordure.

"The vicinity of Juggernaut to the sea probably prevents the contagion, which otherwise would be produced by the putrefactions of the place. There is scarcely any verdure to refresh the sight near Juggernaut; the temple and town being nearly encompassed by hills of sand, which has been cast up in the lapse of ages by the surge of the ocean. All is barren and desolate to the eye; and in the ear there is the never-intermitting sound of the roaring sea.

Juggernaut, 18th of June, 1806.

"I have returned home from witnessing a scene which I shall never forget. At twelve o'clock of this day, being the great day of the feast, the Moloch of Hindostan was brought out of his temple amidst the acclamations of hundreds of thousands of his worshippers. When the idol was placed on his throne, a shout was raised

raised by the multitude, such as I had never heard before. It continued equable for a few minutes, and then gradually died away. After a short interval of silence, a murmur was heard at a distance; all eyes were turned towards the place, and, behold, a *grove* advancing. A body of men, having green branches, or palms, in their hands, approached with great celerity. The people opened a way for them; and when they had come up to the throne, they fell down before him that sat thereon, and worshipped. And the multitude again sent forth a voice 'like the sound of a great thunder.' But the voices I now heard were not those of melody or of joyful acclamation; for there is no harmony in the praise of Moloch's worshippers. Their number indeed brought to my mind the countless multitude of the Revelations; but their voices gave no tuneful Hosanna or Hallelujah; but rather a yell of approbation, united with a kind of *hissing* applause. I was at a loss how to account for this latter noise, until I was directed to notice the women, who emitted a sound like that of *whistling*, with the lips circular and the tongue vibrating: as if a serpent would speak by their organs, uttering human sounds.

"The throne of the idol was placed on a stupendous car or tower about sixty feet in height, resting on wheels which indented the ground deeply, as they turned slowly under the ponderous machine. Attached to it were six cables, of the size and length of a ship's cable, by which the people drew it along. Thousands of men, women, and children pulled by each cable, crowding so closely, that some could only use one hand. Infants are made to exert their strength in this office, for it is ac-

counted a merit of righteousness to move the god. Upon the tower were the priests and satellites of the idol, surrounding his throne. I was told that there were about a hundred and twenty persons upon the car altogether. The idol is a block of wood, having a frightful visage painted black, with a distended mouth of a bloody colour. His arms are of gold, and he is dressed in gorgeous apparel. The other two idols are of a white and yellow colour. Five elephants preceded the three towers, bearing towering flags, dressed in crimson caparisons, and having bells hanging to their caparisons, which sounded musically as they moved.

"I went on in the procession, close by the tower of Moloch; which, as it was drawn with difficulty, 'grated on its many wheels harsh thunder.' After a few minutes it stopped, and now the worship of the god began. A high priest mounted the car in front of the idol, and pronounced his obscene stanzas in the ears of the people; who responded at intervals in the same strain. 'These songs,' said he, 'are the delight of the god. His car can only move when he is pleased with the song.' The car moved on a little way, and then stopped. A boy of about twelve years was then brought forth to attempt something yet more lascivious, if peradventure the god would move. The 'child perfected the praise' of his idol with such ardent expression and gesture, that the god was pleased, and the multitude, emitting a sensual yell of delight, urged the car along. After a few minutes it stopped again. An aged minister of the idol then stood up, and with a long rod in his hand, which he moved with indecent action, completed the variety of this disgusting

disgusting exhibition. I felt a consciousness of doing wrong in witnessing it. I was also somewhat appalled at the magnitude and horror of the spectacle; I felt like a guilty person on whom all eyes were fixed, and I was about to withdraw. But a scene of a different kind was now to be presented. The characteristics of Moloch's worship are obscenity and blood. We have seen the former: now comes the blood.

"After the tower had proceeded some way, a pilgrim announced that he was ready to offer himself a sacrifice to the idol. He laid himself down in the road before the tower as it was moving along, lying on his face, with his arms stretched forwards. The multitude passed round him, leaving the space clear, and he was crushed to death by the wheels of the tower. A shout of joy was raised to the god. He is said to smile when the libation of the blood is made. The people threw cowries, or small money, on the body of the victim, in approbation of the deed. He was left to view a considerable time, and was then carried by the *hurries* to the Golgotha, where I have just been viewing his remains. How much I wished that the Proprietors of India Stock could have attended the wheels of Juggernaut, and seen this peculiar source of their revenue.

Juggernaut, 20th June, 1806.

Moloch, horrid king, besmeared with blood  
Of human sacrifice, and parents' tears.

MILTON.

"—The horrid solemnities still continue. Yesterday a woman devoted herself to the idol. She laid herself down on the road in an oblique direction, so that the wheel did not kill her instantaneously, as is generally the case, but she died

in a few hours. This morning, as I passed the Place of Skulls, nothing remained of her but her bones.

"And this, thought I, is the worship of the Brahmins of Hindostan, and their worship in its sublimest degree! What then shall we think of their private manners, and their moral principles! For it is equally true of India as of Europe—If you would know the state of the people, look at the state of the temple.

"I was surprised to see the Brahmins with their heads uncovered in the open plain falling down in the midst of the *sooders* before 'the horrid shape,' and mingling so complacently with 'that polluted caste.' But this proved what I had before heard, that so great a god is this, that the dignity of high caste disappears before him. This great king recognises no distinction of rank among his subjects, all men are equal in his presence."

Juggernaut, 21st June, 1806.

"The idolatrous processions continue for some days longer, but my spirits are so exhausted by the constant view of these enormities, that I mean to hasten away from this place sooner than I at first intended. I beheld another distressing scene this morning at the Place of Skulls; a poor woman lying dead, or nearly dead, and her two children by her, looking at the dogs and vultures which were near. The people passed by without noticing the children. I asked them where was their home. They said, 'they had no home but where their mother was.'—O, there is no pity at Juggernaut! no mercy, no tenderness of heart in Moloch's kingdom! Those who support his kingdom, err, I trust, from ignorance: 'they know not what they do.'

"As



"As to the number of worshippers assembled here at this time, no accurate calculation can be made. The natives themselves, when speaking of the numbers at particular festivals, usually say that a lack of people (100,000) would not be missed. I asked a Brahmin how many he supposed were present at the most numerous festival he had ever witnessed. 'How can I tell,' said he, 'how many grains there are in a handful of sand?'

"The languages spoken here are various, as there are Hindoos from every country in India: but the two chief languages in use by those who are resident, are the Orissa and the Telinga. The border of the Telinga country is only a few miles distant from the tower of Juggernaut.

Chilka Lake, 24th June

"— I felt my mind relieved and happy, when I had passed beyond the confines of Juggernaut. I certainly was not prepared for the scene: but no one can know what it is who has not seen it. From an eminence on the pleasant banks of the Chilka Lake (where no human bones are seen), I had a view of the lofty tower of Juggernaut far remote; and while I viewed it, its abominations came to mind. It was on the morning of the Sabbath. Ruminating long on the wide and extended empire of Moloch in the heathen world, I cherished in my thoughts the design of some Christian Institution, which, being fostered by Britain, my Christian country, might gradually undermine this baleful idolatry, and put out the memory of it for ever."

*Annual Expenses of the Idol Juggernaut, presented to the English Government.*

[Extracted from the official accounts.]

	<i>Rupees.</i>	<i>£. sterling.</i>
1. Expenses attending the table of the idol.	36,115	or 4,514
2. Ditto of his dress or wearing apparel . . .	2,712	.. 339
3. Ditto of the wages of his servants. . . . .	10,057	.. 1,259
4. Ditto of contingent expenses at the different seasons of pilgrimage . . . . .	10,969	.. 1,373
5. Ditto of his elephants and horses. . . . .	3,030	.. 378
6. Ditto of his rutt or annual state carriage.	6,713	839
	<hr/> Rupees 69,616	<hr/> £. 8,702

"In item third, 'wages of his servants,' are included the wages of the *courtesans*, who are kept for the service of the temple.

"Item sixth, what is here called in the official account 'the state carriage,' is the same as the car or tower. Mr. Hunter informed me that the three state carriages were

decorated this year (in June 1806) with upwards of 200*l.* sterling worth of English broad cloth.

"Of the rites celebrated in the interior of Juggernaut, called the *daily service*, I can say nothing of my own knowledge, not having been within the temple."

## SYRIAN CHRISTIANS IN INDIA.

[From the same.]

THE Syrian Christians inhabit the interior of Travancore and Malabar, in the south of India, and have been settled there from the early ages of Christianity. The first notices of this ancient people in recent times are to be found in the Portuguese histories. When Vasco de Gama arrived at Cochin on the coast of Malabar, in the year 1503, he saw the sceptre of the Christian King; for the Syrian Christians had formerly regal power in Malay-Ala. The name or title of their last King was Bellarte; and he dying without issue, the dominion devolved on the King of Cochin and Diamper.

When the Portuguese arrived, they were agreeably surprised to find upwards of a hundred Christian churches on the coast of Malabar. But when they became acquainted with the purity and simplicity of their worship, they were offended. 'These churches,' said the Portuguese, 'belong to the Pope.' 'Who is the Pope?' said the natives, 'we never heard of him.' The European priests were yet more alarmed, when they found that these Hindoo Christians maintained the order and discipline of a regular church under episcopal jurisdiction: and that, for 1300 years past, they had enjoyed a succession of Bishops appointed by the Patriarch of Antioch. 'We,' said they, 'are of the true faith; whatever you from the west may be; for we come from the place where the followers of Christ were first called Christians.'

When the power of the Portuguese became sufficient for their

purpose, they invaded these tranquil churches, seized some of the clergy, and devoted them to the death of heretics. Then the inhabitants heard for the first time that there was a place called the *Inquisition*; and that its fires had been lately lighted at Goa, near their own land. But the Portuguese, finding that the people were resolute in defending their ancient faith, began to try more conciliatory measures. They seized the Syrian Bishop, Mar Joseph, and sent him prisoner to Lisbon, and then convened a synod at one of the Syrian churches called Diamper, near Cochin, at which the Romish Archbishop Menezes presided. At this compulsory synod one hundred and fifty of the Syrian clergy appeared. They were accused of the following practices and opinions:—'That they had married wives; that they owned but two sacraments, baptism and the Lord's supper; that they neither invoked saints, nor worshipped images, nor believed in purgatory: and that they had no other orders or names of dignity in the church, than bishop, priest, and deacon.' These tenets they were called on to abjure, or to suffer suspension from all church benefices. It was also decreed that all the Syrian books on ecclesiastical subjects that could be found, should be burned; 'in order,' said the inquisitors, 'that no pretended apostolical monuments may remain.'

The churches on the sea-coast were thus compelled to acknowledge the supremacy of the Pope; but they refused to pray in Latin, and insisted on retaining their own language

language and liturgy. This point they said they would only give up with their lives. The Pope compromised with them: Meneses purged their liturgy of its errors; and they retain their Syriac language, and have a Syriac college unto this day. These are called Syro-Roman churches, and are principally situated on the sea-coast.

"The churches in the interior would not yield to Rome. After a show of submission for a little while, they proclaimed eternal war against the Inquisition; they hid their books, fled to the mountains, and sought the protection of the native princes, who had always been proud of their alliance.

"Two centuries had elapsed without any particular information concerning the Syrian Christians in Malabar. It was doubted by many whether they existed at all; but if they did exist, it was thought probable that they must possess some interesting documents of Christian antiquity. The author conceived the design of visiting them, if practicable, in his tour through Hindostan. He presented a short memoir on the subject, in 1805, to Marquis Wellesley, then Governor-General of India; who was pleased to give orders that every facility should be afforded to him in the prosecution of his inquiries. About a year after that Nobleman had left India, the author proceeded on his tour. It was necessary that he should visit first the court of the Rajah of Travancore, in whose dominions the Syrian Christians resided, that he might obtain permission to pass to their country. The two chief objects which he proposed to himself in exploring the state of this ancient people, were these:—First, to investigate their literature and history, and to collect Biblical manu-

scripts. Secondly, if he should find them to be an intelligent people, and well acquainted with the Syriac Scriptures, to endeavour to make them instruments of illuminating the southern part of India, by engaging them in translating their Scriptures into the native languages. He had reason to believe that this had not yet been done; and he was prepared not to wonder at the delay, when he reflected how long it was before his own countrymen began to think it their duty to make versions of the Scriptures, for the use of other nations.

Palace of Travancore, 19th Oct. 1806.

"I have now been a week at the Palace of Trivanduram, where the Rajah resides. A letter of introduction from Lieut. Colonel Macaulay, the British Resident at Travancore, procured me a proper reception. At my first audience his Highness was very inquisitive as to the objects of my journey. As I had servants with me of different castes and languages, it was very easy for the Brahmins to discover every particular they might wish to know, in regard to my profession, pursuits, and manner of life. When I told the Rajah that the Syrian Christians were supposed to be of the same religion with the English, he said he thought that could not be the case, else he must have heard it before; if, however, it was so, he considered my desire to visit them as being very reasonable. I assured his Highness that their *Shaster* and ours was the same; and shewed him a Syriac New Testament which I had at hand. The book being bound and gilt after the European manner, the Rajah shook his head, and said he was sure there was not a native in his dominions who could read that book. I observed that this would be proved in a few

a few days. The Dewan (or Prime Minister) thought the character something like what he had seen sometimes in the houses of the *Sooriani*. The Rajah said he would afford me every facility for my journey in his power. He put an emerald ring on my finger, as a mark of his friendship, and to secure me respect in passing through his country; and he directed his Dewan to send proper persons with me as guides.

"I requested that the Rajah would be pleased to present a catalogue of all the Hindoo manuscripts in the temples of Travancore to the College of Fort William in Bengal. The Brahmins were very averse to this; but when I shewed the Rajah the catalogues of the books in the temples of Tanjore, given by the Rajah of Tanjore, and of those of the temple of Ramisseram, given me by order of the Rannie (or Queen) of Ramnad, he desired it might be done; and orders have been sent to the Hindoo college of Trichoor for that purpose.

Chingemoor, a Church of the Syrian Christians, Nov. 10th, 1806.

"From the palace of Travancore I proceeded to Mavelly-car, and thence to the hills at the bottom of the high Ghauts which divide the Carnatic from Malayala. The face of the country in general, in the vicinity of the mountains, exhibits a varied scene of hill and dale, and winding streams. These streams fall from the mountains, and preserve the vallies in perpetual verdure. The woods produce pepper, cardamoms, and cassia, or common cinnamon; also frankincense and other aromatic gums. What adds much to the grandeur of the scenery in this country is, that the adjacent mountains of Travancore are not

barren, but are covered with forests of *teak* wood (the Indian oak), producing, it is said, the largest timber in the world.

"The first view of the Christian Churches in this sequestered region of Hindostan, connected with the idea of their tranquil duration for so many ages, cannot fail to excite pleasing emotions in the mind of the beholder. The form of the oldest buildings is not unlike that of some of the old parish churches in England; the style of building in both being of Saracenic origin. They have sloping roofs, pointed arch windows, and buttresses supporting the walls. The beams of the roof, being exposed to view, are ornamented; and the ceiling of the choir and altar is circular and fretted. In the cathedral churches the shrines of the deceased bishops are placed on each side of the altar. Most of the churches are built of a reddish stone, squared and polished at the quarry; and are of durable construction. The bells of the churches are cast in the founderies of the country: some of them are of large dimensions, and have inscriptions in Syriac and Malay-alim. In approaching a town in the evening, I once heard the sound of the bells among the hills; a circumstance which made me forget for a moment that I was in Hindostan; and reminded me of another country.

"The first Syrian Church which I saw was at Mavelly-car; but the Syrians here are in the vicinity of the Romish Christians, and are not so simple in their manners as those nearer the mountains. They had been often visited by Romish emissaries in former times: and they at first suspected that I belonged to that communion. They had heard of the English, but strangely supposed that they belonged to the church

church of the Pope in the west. They had been so little accustomed to see a friend, that they could not believe that I was come with any friendly purpose. Added to this, I had some discussions with a most intelligent priest, in regard to the original language of the Four Gospels, which he maintained to be Syriac; and they suspected, from the complexion of my argument, that I wished to weaken the evidences for their antiquity. Soon, however, the gloom and suspicion subsided; they gave me the right hand of fellowship, in the primitive manner; and one of their number was deputed to accompany me to the churches in the interior.

“ When we were approaching the church of Chinganoor, we met one of the *Cassanars*, or Syrian clergy. He was dressed in a white loose vestment with a cap of red silk hanging down behind. Being informed who he was, I said to him in the Syriac language, ‘Peace be unto you.’ He was surprised at the salutation, but immediately answered, ‘The God of peace be with you.’ He accosted the Rajah’s servants in the language of the country to know who I was; and immediately returned to the village to announce our approach. When we arrived, I was received at the door of the church by three *Kasheeshas*, that is, presbyters, or priests, who were habited in like manner, in white vestments. Their names were Jesu, Zecharias, and Urias, which they wrote down in my journal, each of them adding to his name the title of *Kasheesha*. There were also present two *Shumshanas*, or deacons. The elder priest was a very intelligent man, of reverend appearance, having a long white beard, and of an affable and engaging deportment. The three principal Christians, or

lay elders, belonging to the church, were named Abraham, Thoma, and Alexandros. After some conversation with my attendants, they received me with confidence and affection; and the people of the neighbouring villages came round, women as well as men. The sight of the women assured me that I was once more (after a long absence from England) in a Christian country: for the Hindoo women, and the Mahomedan women, and, in short, all women who are not Christians, are accounted by the men an inferior race; and, in general, are confined to the house for life, like irrational creatures. In every countenance now before me I thought I could discover the intelligence of Christianity. But at the same time I perceived, all around, symptoms of poverty and political depression. In the churches, and in the people, there was the air of fallen greatness. I said to the senior priest, ‘You appear to me like a people who have known better days.’ ‘It is even so,’ said he. ‘We are in a degenerate state compared with our forefathers.’ He noticed, that there were two causes of their present decay.—‘About three hundred years ago, an enemy came from the west, bearing the name of Christ, but armed with the inquisition: and compelled us to seek the protection of the native princes; and the native princes have kept us in a state of depression ever since. They indeed recognize our ancient personal privileges, for we rank in general next to the *Nairs*, the nobility of the country; but they have encroached by degrees on our property, till we have been reduced to the humble state in which you find us. The glory of our church has passed away; but we hope your nation will revive it again.’ I observed that ‘the glory

of a church could never die, 'if it preserved the Bible.' 'We have preserved the Bible,' said he; 'the Hindoo Princes never touched our liberty of conscience. We were formerly on a footing with them in political power; and they respect our religion. We have also converts from time to time; but in this Christian duty we are not so active as we once were; besides, it is not so creditable now to become Christian, in our low estate.' He then pointed out to me a Namboory Brahmin (that is, a Brahmin of the highest cast), who had lately become a Christian, and assumed the white vestment of a Syrian priest. 'The learning too of the Bible,' he added, 'is in a low state amongst us. Our copies are few in number; and that number is diminishing instead of increasing; and the writing out a whole copy of Sacred Scriptures is a great labour, where there is no profit and little piety.' I then produced a printed copy of the Syriac New Testament. There was not one of them who had ever seen a printed copy before. They admired it much; and every priest, as it came into his hands, began to read a portion, which he did fluently, while the women came round to hear. I asked the old priest whether I should send them some copies from Europe. 'They would be worth their weight in silver,' said he. He asked me whether the Old Testament was printed in Syriac, as well as the New. I told him it was, but I had not a copy. They professed an earnest desire to obtain some copies of the *whole* Syriac Bible; and asked whether it would be practicable to obtain one copy for every church. 'I must confess to you,' said Zecharias, 'that we have very few copies of the *Prophetical* Scriptures in the church. Our church languishes for

want of the Scriptures.' But he added, 'the language that is most in use among the people is the Malayalim (or Malabar), the vernacular language of the country. The Syriac is now only the learned language, and the language of the church: but we generally expound the Scriptures to the people in the vernacular tongue.'

"I then entered on the subject of the translation of the Scriptures. He said, 'a version could be made with critical accuracy; for there were many of the Syrian clergy who were perfect masters of both languages, having spoken them from their infancy.' 'But,' said he, 'our bishop will rejoice to see you, and to discourse with you on this and other subjects.' I told them that if a translation could be prepared, I should be able to get it printed, and to distribute copies among their fifty-five churches at a small price. 'That indeed would give joy,' said old Abraham. There was here a murmur of satisfaction among the people. 'If I understand you right,' said I, 'the greatest blessing the English church can bestow upon you is the Bible.' 'It is so,' said he. 'And what is the next greatest,' said I. 'Some freedom and personal consequence as a people.' By which he meant political liberty. 'We are here in bondage, like Israel in Egypt.' I observed that the English nation would doubtless recognize a nation of fellow Christians; and would be happy to interest itself in their behalf, as far as our political relation with the prince of the country would permit. They wished to know what were the principles of the English government, civil and religious. I answered, that our government might be said to be founded generally on the principles of the Bible. 'Ah,' said old Zecharias, 'that

'that must be a glorious government, which is founded on the principles of the Bible.' The priests then desired I would give them some account of the history of the English nation, and of our secession from their enemy, the church of Rome. And in return, I requested they would give me some account of their history.—My communications with the Syrians are rendered very easy, by means of an interpreter whom I brought with me all the way from the Tanjore country. He is an Hindoo by descent, but is an intelligent Christian, and was a pupil and catechist of the late Mr. Swartz. The Rev. Mr. Kolhoff recommended him to me. He formerly lived in Travancore, and is well acquainted with the vernacular tongue. He also reads and writes English pretty well, and is as much interested in favour of the Syrian Christians as I myself. Besides Mr. Swartz's catechist, there are two natives of Travancore here, who speak the Hindostanee language, which is familiar to me. My knowledge of the Syriac is sufficient to refer to texts of Scripture; but I do not well understand the pronunciation of the Syrians. I hope to be better acquainted with their language before I leave the country.'

Ranniel, a Syrian Church,  
Nov. 12th, 1806.

"This church is built upon a rocky hill on the banks of the river; and is the most remote of all the churches in this quarter. The two *Kasheehas* here are Lucas and Mattai (Luke and Matthew). The chief lay members are Abraham, Georgius, Thomas, and Philippus. Some of the priests accompany me from church to church. I have now visited eight churches, and scarcely believe that I am in the land of the Hindoos; only that I now, and then

see a Hindoo temple on the banks of the river. I observed that the bells of most of the churches are within the building, and not in a tower. The reason they said was this: when a Hindoo temple happens to be near a church, the Hindoos do not like the bell to sound loud, for they say it frightens their god.—I perceive that the Syrian Christians assimilate much to the Hindoos in the practice of frequent ablutions for health and cleanliness, and in the use of vegetables and light food.

"I attended divine service on the Sunday. Their liturgy is that which was formerly used in the churches of the Patriarch of Antioch. During the prayers, there were intervals of silence; the priests praying in a low voice, and every man praying for himself. These silent intervals add much to the solemnity and appearance of devotion. They use incense in the churches, it grows in the woods around them, and contributes much, they say, to health, and to the warmth and comfort of the church during the cold and rainy season of the year. At the conclusion of the service, a ceremony takes place, which pleased me much. The priest (or bishop, if he be present) comes forward, and all the people pass by him as they go out, receiving his benediction individually. If any man has been guilty of any immorality, he does not receive the blessing; and this, in their primitive and patriarchal state, is accounted a severe punishment.—Instruction by preaching is little in use among them now. Many of the old men lamented the decay of piety, and religious knowledge; and spoke with pleasure of the record of ancient times. They have some ceremonies nearly allied to those of the Greek church. Here, as in all churches

churches in a state of decline, there is too much formality in the worship. But they have the Bible and a scriptural Liturgy; and these will save a Church in the worst of times. These may preserve the 'park and life of religion, though the flame be out. And as there were but few copies of the Bible among the Syrians, (for every copy was transcribed with the pen) it is highly probable that, if they had not enjoyed the advantage of the daily prayers, and daily portions of Scripture in their Liturgy, there would have been in the revolution of ages, no vestige of Christianity left among them.

" The doctrines of the Syrian Christians are few in number, but pure, and agree in essential points with those of the Church of England: so that, although the body of the Church appears to be ignorant, and formal, and dead, there are individuals who are alive to righteousness, who are distinguished from the rest by their purity of life, and are sometimes censured for too rigid a piety.

" The following are the chief doctrines of this ancient Church:

" 1. They hold the doctrine of a vicarious Atonement for the sins of men, by the blood and merits of Christ, and of the justification of the soul before God, 'by faith alone,' in that atonement.

" 2. They maintain the Regeneration, or new birth of the soul to righteousness, by the influence of the Spirit of God, which change is called in their books, from the Greek, *the Meta-Noia*, or change of mind.

" 3. In regard to the Trinity, the creed of the Syrian Christians accords with that of St. Athanasius, but without the damnatory clauses. In a written and official communication to the English Resident of Travancore, the metropolitan states it to be as follows:

' We believe in the Father, Son, and Holy Ghost, three persons in one God, neither confounding the persons nor dividing the substance, one in three, and three in one. The Father generator, the Son generated, and the Holy Ghost proceeding. None is before or after the other; in majesty, honour, might, and power co-equal; Unity in Trinity, and Trinity in Unity.' He then proceeds to disclaim the different errors of Arius, Sabellius, Macedonius, Manes, Marcianus, Julianus, Nestorius, and the Chalcedonians; and concludes, 'That in the appointed time, through the disposition of the Father and the Holy Ghost, the Son appeared on earth for the salvation of mankind; that he was born of the Virgin Mary, through the means of the Holy Ghost, and was incarnate God and man.'

" In every church, and in many of the private houses, here are manuscripts in the Syriac language: and I have been successful in procuring some old and valuable copies of the Scriptures and other books, written in different ages and in different characters.'

" Cande-nad, a church of the Syrian Christians, November 23, 1806.

" This is the residence of Mar Dionysius, the Metropolitan of the Syrian Church. A number of the priests from the other churches had assembled by desire of the bishop, before my arrival. The bishop resides in a building attached to the church. I was much struck with his first appearance. He was dressed in a vestment of dark red silk; a large golden cross hung from his neck, and his venerable beard reached below his girdle. Such, thought I, was the appearance of Chrysostom in the fourth century. On public occasions, he wears the episcopal



episcopal mitre; a muslin robe is thrown over his under garment; and in his hand he bears the crosier, or pastoral staff.—He is a man of highly respectable character in his church, eminent for his piety, and for the attention he devotes to his sacred functions. I found him to be far superior in general learning to any of his clergy whom I had yet seen. He told me that all my conversations with his priests since my arrival in the country had been communicated to him. ‘You have come,’ said he, ‘to visit a declining church, and I am now an old man: but the hopes of its seeing better days cheers my old age, though I may not live to see them.’—I submitted to the Bishop my wishes in regard to the translation and printing of the Holy Scriptures. ‘I have already fully considered the subject,’ said he, ‘and have determined to superintend the work myself, and to call the most learned of my clergy to my aid. It is a work which will illuminate these dark regions, and God will give it his blessing.’ I was much pleased when I heard this pious resolution of the venerable man; for I had now ascertained that there are upwards of 200,000 Christians in the South of India, besides the Syrians, who speak the Malabar language.—The next subject of importance in my mind, was the collection of useful manuscripts in the Chaldaic and Syriac languages; and the bishop was pleased to say that he would assist my inquiries and add to my collection.—He descanted with great satisfaction on the hope of seeing printed Syriac Bibles from England; and said they would be ‘a treasure to his church.’

“Cande-nad, 24th November, 1806.

“Since my coming amongst this

people, I had cherished the hope that they might be one day united with the Church of England. When I reflected on the immense power of the Romish Church in India, and on our inability to withstand its influence, alone, it appeared to be an object of great consequence to secure the aid and co-operation of the Syrian Church, and the sanction of its antiquity in the East. I thought it might be serviceable, at least, to lay such a foundation by the discussion of the subject, as our church might act upon hereafter, if he should think it expedient. I was afraid to mention the subject to the bishop at our first interview; but he himself intimated that he would be glad I would communicate freely upon it with two of his clergy.—I had hitherto observed somewhat of a reserve in those with whom I had conversed on this matter: and now the cause was explained. The bishop’s chaplains confessed to me that they had doubts as to the purity of English ordination. ‘The English,’ said they, ‘may be a warlike and great people; but their church, by your own account, is but of a recent origin. Whence do you derive your ordination?’ ‘From Rome.’ ‘You derive it from a church which is, our ancient enemy, and with which we would never unite.’—They acknowledged that there might be salvation in every church where ‘the name of Christ was named;’ but in the question of an union, it was to be considered that they had existed a pure church of Christ from the earliest ages; that if there was such a thing in the world as ordination by the laying on of hands; in succession from the Apostles, it was probable that they possessed it; that there was no record of history or tradition to impeach their claim. I observed that there was reason to believe

believe that the same ordination had descended from the Apostles, to the Church of Rome. 'It might be so: but that church had departed from the faith.' I answered that the impurity of the channel had not corrupted the ordinance itself, or invalidated the legitimacy of the imposition of hands; any more than the wickedness of a high priest in Israel could disqualify his successors. The Church of England assumed that she derived apostolical ordination *through* the Church of Rome, as she might have derived it *through* the Church of Antioch. I did not consider that the Church of England was entitled to reckon her ordination to be higher or more sacred than that of the Syrian Church. This was the point upon which they wished me to be explicit. They expected that in any official negotiation on this subject, the antiquity and purity of Syrian ordination should be expressly admitted.

"Our conversation was reported to the bishop. He wished me to state the advantages of an union. One advantage would be, I observed, that English clergymen, or rather missionaries ordained by the Church of England, might be permitted hereafter to preach in the numerous churches of the Syrians in India, and aid them in the promulgation of pure religion, against the preponderating and increasing influence of the Romish Church; and again, that ordination by the Syrian bishop might qualify for preaching in the English churches in India; for we had an immense empire in Hindostan, but few preachers: and of these few scarcely any could preach in the native languages.—The bishop said, 'I would sacrifice much for such an union: only let me not be called to compromise any thing of the dignity and purity of our

church.' I told him, we did not wish to degrade, we would rather protect and defend it. All must confess that it was Christ's church in the midst of a heathen land. The Church of England would be happy to promote its welfare, to revive its spirit, and to use it as an instrument of future good in the midst of her own empire. I took this occasion to observe that there were some rites and practices in the Syrian Church, which our church might consider objectionable or nugatory. The bishop confessed that some customs had been introduced during their decline in the latter centuries, which had no necessary connection with the constitution of the church, and might be removed without inconvenience. He asked whether I had authority from my own church to make any proposition to him. I answered that I had not: that my own church scarcely knew that the Syrian Church existed: but I could anticipate the wishes and purposes of good men. He thought it strange that there was no bishop in India to superintend so large an empire; and said he did not perfectly comprehend our ecclesiastical principles. I told him that we had sent bishops to other countries; but that our Indian empire was yet in its infancy.—Next day, the bishop, after conferring with his clergy on the subject, returned an answer in writing to the following effect: 'That an union with the English Church, or, at least, such a connection as should appear to both churches practicable and expedient, would be a happy event, and favourable to the advancement of religion in India.' In making this communication, he used his official designation, 'Mar Dionysius, Metropolitan of Malibar.'—I asked the bishop if he would permit two of the young Cassanars to go to

England to finish their education, and then return to India. He said he should be very happy to give his permission, if any should be found

who were willing to go. I have accordingly made the offer to two youths of good abilities, who are well skilled in the Syriac language."

## INQUISITION AT GOA.

[From the same.]

"Goa; Convent of the Augustinians,  
Jan. 23, 1808.

"ON my arrival at Goa, I was received into the house of Captain Schuyler, the British Resident. The British force here is commanded by Colonel Adams, of his Majesty's 78th Regiment, with whom I was formerly well acquainted in Bengal. Next day I was introduced by these gentlemen to the Vice-Roy of Goa, the Count de Cabral. I intimated to his Excellency my wish to sail up the river to Old Goa, (where the Inquisition is,) to which he politely acceded. Major Pereira of the Portuguese establishment, who was present, and to whom I had letters of introduction from Bengal, offered to accompany me to the city, and to introduce me to the Archbishop of Goa, the Primate of the Orient.

"I had communicated to Colonel Adams, and to the British Resident, my purpose of enquiring into the state of the Inquisition. These gentlemen informed me, that I should not be able to accomplish my design without difficulty; since every thing relating to the Inquisition was conducted in a very secret manner, the most respectable of the lay Portuguese themselves being ignorant of its proceedings; and that, if the priests were to discover my object,

their excessive jealousy and alarm would prevent their communicating with me, or satisfying my inquiries on any subject.

"On receiving this intelligence, I perceived that it would be necessary to proceed with caution. I was, in fact, about to visit a republic of priests; whose dominion had existed for nearly three centuries; whose province it was to prosecute heretics, and particularly the teachers of heresy; and from whose authority and sentence there was no appeal in India.

"It happened that Lieutenant Kempthorne, Commander of his Majesty's brig Diana, a distant connection of my own, was at this time in the harbour. On his learning that I meant to visit Old Goa, he offered to accompany me; as did Captain Stirling, of his Majesty's 84th regiment, which is now stationed at the forts.

"We proceeded up the river in the British Resident's barge accompanied by Major Pereira, who was well-qualified, by a thirty years residence, to give information concerning local circumstances. From him I learned that there were upwards of two hundred churches and chapels in the province of Goa, and upwards of two thousand priests.

"On our arrival at the city, it

was past twelve o'clock: all the churches were shut, and we were told that they would not be opened again till two o'clock. I mentioned to Major Pereira, that I intended to stay at Old Goa some days; and that I should be obliged to him to find me a place to sleep in. He seemed surprised at this intimation, and observed that it would be difficult for me to obtain reception in any of the churches or convents, and that there were no private houses into which I could be admitted. I said I could sleep any where; I had two servants with me, and a travelling bed. When he perceived that I was serious in my purpose, he gave directions to a civil officer, to clear out a room in a building which had been long uninhabited, and which was then used as a warehouse for goods. Matters at this time presented a very gloomy appearance; and I had thoughts of returning with my companions from this inhospitable place. In the mean time we sat down in the room I have just mentioned; to take some refreshment, while Major Pereira went to call on some of his friends. During this interval, I communicated to Lieutenant Kempthorne the object of my visit. I had in my pocket 'Dellon's Account of the Inquisition at Goa;' and I mentioned some particulars. While we were conversing on the subject, the great bell began to toll; the same which Dellon observes always tolls, before day-light, on the morning of the *Auto da Fé*. I did not myself ask any questions of the people concerning the Inquisition; but Mr. Kempthorne made inquiries for me: and he soon found out that the Santa Casa, or holy office, was close to the house where we were then sitting. The gentlemen went to the window to view the horrid mansion; and I could see

the indignation of free and enlightened men arise in the countenance of the two British officers, while they contemplated a place where formerly their own countrymen were condemned to the flames, and into which they themselves might now suddenly be thrown, without the possibility of rescue.

"At two o'clock we went out to view the churches, which were now open for the afternoon service; for there are regular daily masses; and the bells began to assail the ear in every quarter.

"The magnificence of the churches of Goa far exceeded any idea I had formed from the previous description. Goa is properly a city of churches; and the wealth of provinces seems to have been expended in their erection. The ancient specimens of architecture at this place far excel any thing that has been attempted in modern times in any other part of the east, both in grandeur and in taste. The chapel of the palace is built after the plan of St. Peter's at Rome, and is said to be an accurate model of that paragon of architecture. The church of St. Dominic, the founder of the Inquisition, is decorated with paintings of Italian masters. St. Francis Xavier lies enshrined in a monument of exquisite art, and his coffin is encased with silver and precious stones. The cathedral of Goa is worthy of one of the principal cities of Europe! and the church and convent of the Augustinians (in which I now reside) is a noble pile of building, situated on an eminence, and has a magnificent appearance from afar.

"But what a contrast to all this grandeur of the churches is the worship offered within! I have been present at the service in one or other of the chapels every day since I ar-

rived; and I seldom see a single worshipper, but the ecclesiastics. Two rows of native priests, kneeling in order before the altar, clothed in coarse black garments, of sickly appearance, and vacant countenance, perform here, from day to day, their laborious masses, seemingly unconscious of any other duty or obligation of life.

"The day was now far spent, and my companions were about to leave me. While I was considering whether I should return with them, Major Pereira, said he would first introduce me to a priest, high in office, and one of the most learned men in the place. We accordingly walked to the convent of the Augustinians, where I was presented to Joseph a Doloribus, a man well advanced in life, of pale visage and penetrating eye, rather of a reverend appearance, and possessing great fluency of speech and urbanity of manners. At first sight he presented the aspect of one of those acute and prudent men of the world, the learned and respectable Italian Jesuits, some of whom are yet found, since the demolition of their order, reposing in tranquil obscurity, in different parts of the east. After half an hour's conversation in the Latin language, during which he adverted rapidly to a variety of subjects, and enquired concerning some learned men of his own church, whom I had visited in my tour, he politely invited me to take up my residence with him, during my stay at Old Goa. I was highly gratified by this unexpected invitation; but Lieutenant Kempthorne did not approve of leaving me in the hands of the Inquisitor. For judge of our surprise, when we discovered that my learned host was one of the inquisitors of the holy office, the second member of that august tribunal in

rank, but the first and most active agent in the business of the department. Apartments were assigned to me in the college adjoining the convent, next to the rooms of the Inquisitor himself; and here I have been now four days at the very fountain head of information, in regard to those subjects which I wished to investigate. I breakfast and dine with the Inquisitor almost every day, and he generally passes his evenings in my apartment. As he considers my enquiries to be chiefly of a literary nature, he is perfectly candid and communicative on all subjects.

"Next day after my arrival, I was introduced by my learned conductor to the Archbishop of Goa. We found him reading the Latin letters of St. Francis Xavier. On my adverting to the long duration of the city of Goa, while other cities of Europeans in India had suffered from war or revolution, the Archbishop observed, that the preservation of Goa, was owing to the prayers of St. Francis Xavier. The Inquisitor looked at me to see what I thought of this sentiment. I acknowledged that Xavier was considered by the learned among the English to have been a great man: what he wrote himself, bespeaks him a man of learning, of original genius, and great fortitude of mind; but what others have written for him, and of him, tarnished his fame, by making him the inventor of fables. The Archbishop signified his assent. He afterwards conducted me into his private chapel, which is decorated with images of silver, and then into the archiepiscopal library, which possesses a valuable collection of books.—As I passed through our convent, in returning from the archbishop's, I observed among the paintings in the cloisters, a portrait

of the famous Alexis de Meneses, Archbishop of Goa, who held the synod of Diamper near Cochin in 1599, and burned the books of the Syrian Christians. From the inscription underneath I learned that he was the founder of the magnificent church and convent in which I am now residing.

"On the same day I received an invitation to dine with the chief Inquisitor, at his house in the country. The second Inquisitor accompanied me, and we found a respectable company of priests, and a sumptuous entertainment. In the library of the chief Inquisitor I saw a register, containing the present establishment of the inquisition at Goa, and the names of all the officers. On my asking the chief Inquisitor whether the establishment was extensive as formerly, he said it was nearly the same. I had hitherto said little to any person concerning the Inquisition, but I had indirectly gleaned much information concerning it, not only from the Inquisitors themselves, but from certain priests, whom I visited at their respective convents; particularly from a father in the Franciscan Convent, who had himself repeatedly witnessed an *Auto da Fe*.

"Goa, Augustinian Convent,  
26th Jan. 1808.

"On Sunday, after divine service, which I attended, we looked over together the prayers and portions of scripture for the day, which led to a discussion concerning some of the doctrines of Christianity. We then read the third chapter of St. John's Gospel, in the Latin Vulgate. I asked the Inquisitor whether he believed in the influence in the spirit there spoken of. He distinctly admitted it; conjointly however, he

thought, in some obscure sense, with water. I observed, that water was merely an emblem of the purifying effects of the Spirit, and could be but an emblem. We next adverted to the expression of St. John in his first Epistle: 'This is he that came by water and blood: even Jesus Christ; not by water only, but by water and blood:—blood to atone for sin, and water to purify the heart; justification and sanctification; both of which were expressed at the same moment on the cross. The Inquisitor was pleased with the subject. By an easy transition we passed to the importance of the Bible itself, to illuminate the priests and people. I noticed to him that after looking through the colleges and schools, there appeared to me to be a total eclipse of scriptural light. He acknowledged that religion and learning were truly in a degraded state.—I had visited the theological schools, and at every place I expressed my surprise to the tutors, in presence of the pupils, at the absence of the Bible, and almost total want of reference to it. They pleaded the custom of the place, and the scarcity of copies of the book itself. Some of the younger priests came to me afterwards, desiring to know by what means they might procure copies. This inquiry for Bibles was like a ray of hope beaming on the walls of the Inquisition.

"I pass an hour sometimes in the spacious library of the Augustinian Convent, and think myself suddenly transported into one of the libraries of Cambridge. There are many rare volumes, but they are chiefly theological, and almost all of the sixteenth century. There are few classics; and I have not yet seen one copy of the original scriptures in Hebrew or Greek.

"Goa,

"Goa, Augustinian Convent,  
27th Jan. 1808.

"On the second morning after my arrival, I was surprised by my host, the Inquisitor, coming into my apartment clothed in black robes from head to foot: for the usual dress of his order is white. He said he was going to sit on the tribunal of the Holy Office. 'I presume, father, your august office does not occupy much of your time?' 'Yes,' answered he, 'much. I sit on the tribunal three or four days every week.'

"I had thought, for some days, of putting Dellon's book into the Inquisitor's hands; for if I could get him to advert to the facts stated in that book, I should be able to learn, by comparison, the exact state of the Inquisition at the present time. In the evening he came in, as usual, to pass an hour in my apartment. After some conversation I took the pen in my hand to write a few notes in my journal; and, as if to amuse him, while I was writing, I took up Dellon's book, which was lying with some others on the table, and handing it across to him, asked him whether he had ever seen it. It was in the French language, which he understood well. 'Relation de l'Inquisition de Goa,' pronounced he, with a slow, articulate voice. He had never seen it before, and began to read with eagerness. He had not proceeded far, before he betrayed evident symptoms of uneasiness. He turned hastily to the middle of the book, and then to the end, and then ran over the table of contents at the beginning, as if to ascertain the full extent of the evil. He then composed himself to read, while I continued to write. He turned over the pages with rapidity, and when he

came to a certain place, he exclaimed, in the broad Italian accent, 'Mendacium, Mendacium.' I requested he would mark those passages which were untrue, and we should discuss them afterwards, for that I had other books on the subject. 'Other books,' said he, and he looked with an inquiring eye on those on the table. He continued reading till it was time to retire to rest, and then begged to take the book with him.

"It was on this night that a circumstance happened which caused my first alarm at Goa. My servants slept every night at my chamber door, in the long gallery, which is common to all the apartments, and not far distant from the servants of the convent. About midnight I was waked by loud shrieks and expressions of terror, from some person in the gallery. In the first moment of surprise I concluded it must be the Alguazils of the holy office, seizing my servants to carry them to the Inquisition. But, on going out, I saw my own servants standing at the door, and the person who had caused the alarm (a boy of about fourteen) at a little distance, surrounded by some of the priests, who had come out of their cells on hearing the noise. The boy said he had seen a spectre, and it was a considerable time before the agitations of his body and voice subsided.—Next morning at breakfast the Inquisitor apologized for the disturbance, and said the boy's alarm proceeded from a 'phantasma animi,' a phantasm of the imagination.

"After breakfast we resumed the subject of the Inquisition. The Inquisitor admitted that Dellon's descriptions of the dungeons, of the torture, of the mode of trial, and of the Auto da Fé were, in general, just; but he said the writer judged untruly of

of the motives of the Inquisitors, and very uncharitably of the character of the holy church; and I admitted that, under the pressure of his peculiar suffering, this might possibly be the case. The Inquisitor was now anxious to know to what extent Delfon's book had been circulated in Europe. I told him that Picart had published to the world extracts from it, in his celebrated work called 'Religious Ceremonies,' together with plates of the system of torture and burning at the *Auto da Fè*. I added that it was now generally believed in Europe that these enormities no longer existed, and that the Inquisition itself had been totally suppressed; but that I was concerned to find that this was not the case. He now began a grave narration to shew that the Inquisition had undergone a change in some respects, and that its terrors were mitigated.

"I had already discovered, from written or printed documents, that the Inquisition of Goa was suppressed by royal edict in the year 1775, and established again in 1779. The Franciscan father, before mentioned, witnessed the annual *Auto da Fè*, from 1770, to 1775. 'It was the humanity and tender mercy of a good king,' said the old father, 'which abolished the Inquisition.' But immediately on his death, the power of the priests acquired the ascendant, under the Queen Dowager, and the tribunal was re-established, after a bloodless interval of five years. It has continued in operation ever since. It was restored in 1779, subject to certain restrictions, the chief of which are the two following, 'That a greater number of witnesses should be required to convict a criminal than were before necessary;' and that the *Auto da Fè* should not be held publicly as before; but that the sentences of the tribunal should

be executed privately, within the walls of the Inquisition.

"In this particular, the constitution of the new Inquisition is more reprehensible than that of the old one; for, as the old father expressed it, '*Nunc sigillum non revelat Inquisitio.*'—Formerly the friends of those unfortunate persons who were thrown into its prison, had the melancholy satisfaction of seeing them once a year walking in the procession of the *Auto da Fè*; or if they were condemned to die, they witnessed their death, and mourned for the dead. But now they have no means of learning for years whether they be dead or alive. The policy of this new mode of concealment appears to be this, to preserve the power of the Inquisition, and at the same time to lessen the public odium of its proceedings, in the presence of British dominion and civilization. I asked the father his opinion concerning the nature and frequency of the punishments within the walls. He said he possessed no certain means of giving a satisfactory answer; that every thing transacted there was declared to be '*sacrum et secretum.*' But this he knew to be true, that there were constantly captives in the dungeons; that some of them are liberated after long confinement, but that they never speak afterwards of what passed within the place. He added that, of all the persons he had known, who had been liberated, he never knew one who did not carry about with him what might be called 'the mark of the Inquisition;' that is to say, who did not shew in the solemnity of his countenance, or in his peculiar demeanor, or his terror of the priests, that he had been in that dreadful place.

"The chief argument of the Inquisitor to prove the melioration of the Inquisition was the superior humanity of the Inquisitors. I remarked that

I did



I did not doubt the humanity of the existing officers; but what availed humanity in an Inquisitor? he must pronounce sentence according to the laws of the tribunal, which are notorious enough; and a relapsed heretic must be burned in the flames, or confined for life in a dungeon, whether the Inquisitor be humane or not. 'But if,' said I, 'you would satisfy my mind completely on this subject, shew me the Inquisition.' He said it was not permitted to any person to see the Inquisition. I observed that mine might be considered as a peculiar case; that the character of the Inquisition, and the expediency of its longer continuance had been called in question; that I had myself written on the civilization of India, and might possibly publish something more upon that subject, and that it could not be expected that I should pass over the Inquisition without notice, knowing what I did of its proceedings; at the same time I should not wish to state a single fact without his authority, or at least his admission of its truth. I added that he himself had been pleased to communicate with me very fully on the subject, and that in all our discussions we had both been actuated, I hoped, by a good purpose. The countenance of the Inquisitor evidently altered on receiving this intimation, nor did it ever after wholly regain its wonted frankness and placidity. After some hesitation, however, he said he would take me with him to the Inquisition the next day.—I was a good deal surprised at this acquiescence of the Inquisitor, but I did not know what was in his mind.

"Goa, Augustinian Convent,  
28th January, 1808.

"When I left the Forts to come  
pp to the Inquisition Colonel Adams

desired me to write to him; and he added, half-way between jest and earnest, 'If I do not hear from you in three days, I shall march down the 76th and storm the Inquisition.' This I promised to do. But, having been so well entertained by the Inquisitor, I forgot my promise. Accordingly, on the day before yesterday, I was surprised by a visit from Major Braamcamp, Aid-de-Camp to his Excellency the Vice-Roy, bearing a letter from Colonel Adams, and a message from the Vice-Roy, proposing that I should return every evening and sleep at the Forts, on account of the unhealthiness of Goa.

"This morning after breakfast my host went to dress for the holy office, and soon returned in his inquisitorial robes. He said he would go half an hour before the usual time for the purpose of shewing me the Inquisition. I thought that his countenance was more severe than usual; and that his attendants were not so civil as before. The truth was, the midnight scene was still on my mind. The Inquisition is about a quarter of a mile distant from the convent, and we proceeded thither in our manjeels. On our arrival at the place, the Inquisitor said to me, as we were ascending the steps of the outer stair, that he hoped I should be satisfied with a transient view of the Inquisition, and that I would retire whenever he should desire it. I took this as a good omen, and followed my conductor with tolerable confidence.

"He led me first to the great hall of the Inquisition. We were met at the door by a number of well-dressed persons, who, I afterwards understood, were the familiars and attendants of the holy office. They bowed very low to the Inquisitor, and looked with surprise at me. The great hall is the place in which the prisoners are marshalled

marshalled for the procession of the *Auto da Fé*. At the procession described by Dellon, in which he himself walked barefoot, clothed with the painted garment, there were upwards of one hundred and fifty prisoners. I traversed this hall for some time, with a slow step, reflecting on its former scenes, the Inquisitor walking by my side, in silence. I thought of the fate of the multitude of my fellow-creatures who had passed through this place, condemned by a tribunal of their fellow-sinners, their bodies devoted to the flames, and their souls to perdition. And I could not help saying to him, 'Would not the holy church wish, in her mercy, to have those souls back again, that she might allow them a little further probation?' The Inquisitor answered nothing, but beckoned me to go with him to a door at one end of the hall. By this door he conducted me to some small rooms, and thence to the spacious apartments of the chief Inquisitor. Having surveyed these he brought me back again to the great hall; and I thought he seemed now desirous that I should depart. 'Now, father,' said I, 'lead me to the dungeons below; I want to see the captives.'—'No,' said he, 'that cannot be.'—I now began to suspect that it had been in the mind of the Inquisitor, from the beginning, to shew me only a certain part of the Inquisition, in the hope of satisfying my inquiries in a general way. I urged him with earnestness, but he steadily resisted, and seemed to be offended, or rather agitated by my importunity. I intimated to him plainly, that the only way to do justice to his own assertions and arguments, regarding the present state of the Inquisition, was to shew me the prisons and the captives. I should then describe only what I

saw; but now the subject was left in awful obscurity.—'Lead me down,' said I, 'to the inner building, and let me pass through the two hundred dungeons, ten feet square, described by your former captives. Let me count the number of your present captives, and converse with them. I want to see if there be any subjects of the British government, to whom we owe protection. I want to ask how long they have been here, how long it is since they beheld the light of the sun, and whether they ever expect to see it again. Shew me the chamber of torture; and declare what modes of execution, or of punishment, are now practised within the walls of the Inquisition, in lieu of the public *Auto da Fé*. If, after all that has passed, father, you resist this reasonable request, I shall be justified in believing, that you are afraid of exposing the real state of the Inquisition in India.' To these observations the Inquisitor made no reply; but seemed impatient that I should withdraw. 'My good father,' said I, 'I am about to take my leave of you, and to thank you for your hospitable attentions, (it had been before understood that I should take my final leave at the door of the Inquisition, after having seen the interior,) and I wish always to preserve on my mind a favourable sentiment of your kindness and candour. You cannot, you say, shew me the captives and the dungeons; be pleased then merely to answer this question; for I shall believe your word:—how many prisoners are there now below, in the cells of the Inquisition?' The Inquisitor replied, 'That is a question which I cannot answer.' On his pronouncing these words, I retired hastily towards the door, and wished him farewell. We shook hands with as  
much

much cordiality as we could at the moment assume; and both of us, I believe, were sorry that our parting took place with a clouded countenance.

"From the Inquisition I went to the place of burning in the Camp Santo Lazaro, on the river side, where the victims were brought to the stake at the *Auto da Fè*. It is close to the palace, that the *Vice-Roy* and his court may witness the execution; for it has ever been the policy of the Inquisition to make these spiritual executions appear to be the executions of the state. An old priest accompanied me, who pointed out the place, and described the scene. As I passed over this melancholy plain, I thought on the difference between the pure and benign doctrine, which was first preached to India in the apostolic age, and that bloody code, which, after a long night of darkness, was announced to it under the same name! And I pondered on the mysterious dispensation, which permitted the ministers of the Inquisition, with their racks and flames, to visit these lands, before the heralds of the gospel of peace. But the most painful reflection was, that this tribunal should yet exist, unawed by the vicinity of British humanity and dominion. I was not satisfied with what I had seen or said at the Inquisition, and I determined to go back again. The Inquisitors were now sitting on the tribunal, and I had some excuse for returning; for I was to receive from the chief Inquisitor a letter, which he said he would give me, before I left the place, for the British Resident in Travancore, being an answer to a letter from that officer.

"When I arrived at the Inquisition, and had ascended the outer stairs, the door-keepers surveyed me

doubtfully, but suffered me to pass, supposing that I had returned by permission and appointment of the Inquisitor. I entered the great hall, and went up directly towards the tribunal of the Inquisition, described by Dellon, in which is the lofty crucifix. I sat down on a form, and wrote some notes; and then desired one of the attendants to carry in my name to the Inquisitor. As I walked up the hall, I saw a poor woman sitting by herself, on a bench by the wall, apparently in a disconsolate state of mind. She clasped her hands as I passed, and gave me a look expressive of her distress. This sight chilled my spirits. The familiars told me she was waiting there to be called up before the tribunal of the Inquisition. While I was asking questions concerning her crime, the second Inquisitor came out in evident trepidation, and was about to complain of the intrusion; when I informed him I had come back for the letter from the chief Inquisitor. He said it should be sent after me to Goa; and he conducted me with a quick step towards the door. As we passed the poor woman I pointed to her, and said to him with some emphasis, 'Behold, father, another victim of the holy Inquisition!' He answered nothing. When we arrived at the head of the great stair, he bowed, and I took my last leave of Josephus a Doloribus, without uttering a word.

"It will be well understood for what purpose the foregoing particulars concerning the Inquisition at Goa, are rehearsed in the ears of the British nation. 'The Romans,' says Montesquieu, 'deserve well of human nature, for making it an article in their treaty with the Carthaginians, that they should abstain from sacrificing their children

to their gods.' It has been observed by respectable writers, that the English nation ought to imitate this example, and endeavour to induce her allies 'to abolish the human sacrifices of the Inquisition;' and a censure has been passed on our government for its indifference to this subject. The indifference to the Inquisition is attributable, we believe, to the same cause which has produced an indifference to the religious principles which first organized the Inquisition. The mighty despot, who suppressed the Inquisition in Spain, was not swayed probably by very powerful motives of humanity; but viewed with jealousy a tribunal, which usurped an independent dominion; and he put it down, on the same principle that he put down the pope down, that he might remain pontiff and grand inquisitor himself. And so he will remain for a time, till the purposes of Providence shall have been accomplished by him. But are we to look on in silence, and to expect that further meliorations in human society are to be effected by despotism, or by great revolutions? 'If,' say the same writers, 'while the Inquisition is destroyed in Europe by the power of despotism, we could entertain the hope, and it is not too much to entertain such a hope, that the power of liberty is about to destroy it in America; we might, even amid the gloom that surrounds us, congratulate our fellow-creatures on one of the most remarkable periods in the history of the progress of human society, the final erasure of the Inquisition from the face of the

earth.' It will indeed be an important and happy day to the earth, when this final erasure shall take place; but the period of such an event is nearer, we apprehend, in Europe and America, than it is in Asia; and its termination in Asia depends as much on Great Britain as on Portugal. And shall not Great Britain do her part to hasten this desirable time? Do we wait, as if to see whether the power of infidelity will abolish the other Inquisitions of the earth? Shall not we, in the mean while, attempt to do something, on Christian principles, for the honour of God and of humanity? Do we dread even to express a sentiment on the subject in our legislative assemblies, or to notice it in our treaties? It is surely our duty to declare our wishes, at least, for the abolition of these inhuman tribunals, (since we take an active part in promoting the welfare of other nations,) and to deliver our testimony against them in the presence of Europe.

"This case is not unlike that of the immolation of females in Bengal: with this aggravation in regard to that atrocity, that the rite is perpetrated in our own territories. Our humanity in England revolts at the occasional description of the enormity; but the matter comes not to our own business and bosoms, and we fail even to insinuate our disapprobation of the deed. It may be concluded then, that while we remain silent and unmoved spectators of the flames of the widow's pile, there is no hope that we shall be justly affected by the reported horrors of the Inquisition."

# CLASSICAL AND POLITE CRITICISM.

ANIMADVERSIONS OF THE RIGHT HONOURABLE C. J. FOX ON THE  
GREEK POETS.

[FROM MR. TROTTER'S MEMOIRS OF HIS LATTER YEARS.]

“ I WAS much gratified, my dear Sir, with your letter; as your taste seems so exactly to agree with mine; and I am very glad, for your sake, that you have taken to Greek, as it will now be very easy to you, and if I may judge from myself, will be one of the greatest sources of amusement to you.—Homer and Ariosto have always been my favourites: there is something so delightful in their wonderful facility, and the apparent absence of all study, in their expression, which is almost peculiar to them. I think you must be very partial, however, to find but two faults in the twelve books of the *Iliad*. The passage in the ninth book, about *Achilles*, appears to me, as it does to you, both poor and forced; but I have no great objection to that about the wall in the twelfth, though, to be sure, it is not very necessary. The tenth book has always been a particular favourite with me, not so much on account of *Diomedes* and *Ulysses*’ exploits, (though that part is excellent too) as on account of the be-

ginning, which describes so forcibly the anxious state of the generals, with an enemy so near, and having had rather the worst of the former day. I do not know any description any where that sets the thing so clearly before one; and then the brotherly feelings of *Agamemnon* towards *Menelaus*, and the modesty and amiableness of *Menelaus*’ character (whom *Homer*, by the way, seems to be particularly fond of) are very affecting. *Ariosto* has certainly taken his night expedition either from *Homer*’s or from *Virgil*’s *Nisus* and *Euryalus*. I scarcely know which I prefer of the three: I rather think *Virgil*’s; but *Ariosto* has one merit beyond the others, from the important consequences which arise from it to the story. *Tasso* (for he, too, must have whatever is in the *Iliad* or *Æneid*) is a very poor imitation, as far as I recollect.

“ I suppose, as soon as you have done the *Iliad*, you will read the *Odyssey*; which, though certainly not so fine a poem, is, to my taste, still pleasanter to read. Pray let me know

know what parts of it strike you most, and believe me you cannot oblige me more than by corresponding on such subjects. Of the other Greek poets; Hesiod, Pindar, Eschylus, Sophocles, Euripides, Apollonius Rhodius, and Theocritus, are the most worth reading. Of the tragedians, I like Euripides the best: but Sophocles is, I believe, more generally preferred, and is certainly more finished, and has fewer gross faults. Theocritus, in his way, is perfect:—the two first Idylls, particularly, are excellent. I suppose the ode you like is *Adonis à Kuhnēn*, which is pretty enough, but not such as to give you any adequate idea of Theocritus. There is an elegy upon Adonis, by Bion, which is in parts very beautiful, and some lines of it upon the common place of Death, which have been imitated over and over again, but have never been equalled. In Hesiod, the account of Pandora, of the Golden Age, &c. and some other parts, are very good; but there is much that is tiresome. Perhaps the work, which is most generally considered as not his, I mean the *Æonis*, is the one that has most poetry in it. It is very good, and to say that it is inferior to Homer's and Virgil's shields, is not saying much against it. Pindar is too often obscure, and sometimes much more spun out, and wordy than suits my taste; but there are passages in him quite divine. I have not read above half his works. Apollonius Rhodius is, I think, very well worth reading. The beginning of Medea's love is, I believe, original, and though often copied since, never equalled. There are many other fine parts in his poem, besides some of which Virgil has improved, others scarce equalled. There is, however, in the greater part of the poem, an appearance of

labour, and a hardness, that makes it tiresome. He seems to me to be an author of about the same degree of genius with Tasso; and if there is more in the latter to be liked, there is nothing, I think, to be liked in him so well as the parts of Apollonius to which I have alluded; I have said nothing of Aristophanes, because I never read him. Callimachus and Moschus are worth reading; but there is little of them. By the way, I now recollect that the passage about death, which I said was in Bion's elegy upon Adonis, is in Moschus's upon Bion. Now you have all my knowledge about Greek poetry. I am quite pleased at your liking Ariosto so much; though indeed I foresaw you would, from the great delight you expressed at Spenser, who is certainly inferior to him, though very excellent too.—Tasso I think below both of them, but many count him the first among those three; and even Metastasio, who ought to be a better judge of Italian poetry than you or I, gives him, upon the whole, the preference to Ariosto.

"You will, of course, have been rejoiced at the peace, as we all are. Mrs. F. desires to be remembered to you kindly. She is very busy just now, but will write to you soon. I think this place has looked more beautiful than ever this year, both in Spring and Summer, and so it does now in Autumn. I have been very idle about my History, but I will make up for it by and by; though I believe I must go to Paris, to look at some papers there, before I can finish the first volume. I think in the last half of the Iliad you will admire the sixteenth, twentieth, twenty-second, and twenty-fourth books particularly. I believe the general opinion is, that Homer did write near the shore, and he certainly does;

as you observe, particularly delight in illustrations taken from the sea, waves, &c. Perhaps a lion is rather too frequent a simile with him. I dare say you were delighted with Helen and Priam on the walls in the third book; and I suspect you will be proportionably disgusted with Tasso's servile and ill-placed imitation of it. Do not imagine, however, that I am not sensible to many beauties in Tasso, especially the parts imitated by Spenser, Erminio's flight and adventure, the description of the pestilence, and many others.

"I am, dear Sir,

Most truly,

Your's ever,

C. J. Fox.

St Anne's Hill, Monday.  
(Post Mark, Oct. 24, 1808.)

"MY DEAR SIR,

"I am quite scandalized at having so long delayed answering your letter; but I put it off, as I am apt to do every thing, from day to, till Christmas; and on that day, Mrs. F. was taken very seriously ill with a fever, and sore throat of the inflammatory kind.—The violence of the disorder was over this day or night, but though she has been mending ever since, she is still weak. However, she may now be called, comparatively speaking, quite well; and I did not like to write till I could tell you that she was so. I hope you go on with your Greek, and long to know whether you are as fond of the *Odyssey* as I am, as also what progress you have made in the other poets. The *Phalaris*, whom you ask after, is, I believe, the same Phalaris who wrote the *Lines*, and who certainly was of Charon's. At least, I never heard of any other author of that name, and he wrote many philosophical

works. I think when you say you despise Tasso, you go further than I can depress thought there is sensitivity in his manner of imitation, which is disgusting, yet it is hardly fair to be angry with him, for translating a simile of Homer's, a plauder (if it be one) of which nearly every poet has been guilty. If there be one who has not, I suspect it is he whom you say you are going to read, I mean Dante. I have only read part of Dante, and admire him very much. I think the brilliant passages are thicker set in his works than in those of almost any other poet; but the want of connection and interest makes him heavy; and, besides the difficulty of his language, which I do not think much of, the obscurity of that part of history to which he refers, is much against him. His allusions, in which he deals not a little, are, in consequence, most of them lost.

"I agree in liking Armida, but cannot help thinking Rinaldo's detention in his gardens very inferior to Ruggiero's.

Or fine agli occhi ben suona nel gabb  
Delle delizie e delle cose belle,

may seem to some an expression rather too familiar, and nearly foolish; but it is much better for describing the sort of situation in which the two heroes are supposed to be, than the *Romito Amante* of Tasso; not to mention the garden of Armida being all on the inside of the palace, and walled round by it, instead of the beautiful country described by Ariosto. Do you not think, too, that Spenser has much improved upon Tasso, by giving the song in praise of pleasure to a nymph rather than to a parrot? Pray, if you want any information about Greek poets or others, that I can give you, do not spare me, for it is a great de-

light

light to me to be employed upon such subjects, with one who has a true relish for them.

"I do not wonder at your passionate admiration of the *Iliad*, and agree with you as to the peculiar beauty of most of the parts you mention. The interview of Priam and Achilles is, I think, the finest of all. I rather think that in Andromache's first lamentation, she dwells too much upon her child, and too little upon Hector, but may be I am wrong. But your referring to the fourth book only for Agamemnon's brotherly kindness, I should almost suspect that you had not sufficiently noticed the extreme delicacy and kindness with which he speaks of him in the tenth, v. 120, &c.

"We have not at all fixed our time for going to Paris yet. Mrs. F. desires to be most kindly remembered to you,

"I am very truly,

My dear Sir, your's ever,

C. J. Fox.

P. S. I do not know which is the best translation of *Don Quixote*; I have only read Jarvis's, which I think very indifferent. I liked Feijoo very much when I read him, but I have not his works.

"Paris, October 27.

"MY DEAR SIR,

"Mrs. Fox has had two letters from you, one from Dover, which was longer coming than any letter ever was, and one from Chester, and desires me to thank you for her, though she has no excuse, that I know of, except idleness, for not doing so herself. She has had another bad cold, with rheumatism, but is, thank God, nearly well. We do not wonder at your finding the

difference between French and English manners, in casual acquaintance, very great; and I doubt much whether we have great superiority in more intimate connections, to compensate our inferiority in this respect; you remember, no doubt, Cowper's character of us in the *Task*, it is excellent,

"I do not think we have seen any thing worth mentioning since you went, or rather since Mrs. F. wrote to you after her presentation; only we were one day at Rainey, formerly the Duke of Orleans's, which, though in a state of neglect, is still very beautiful. We have seen Madame Duchesnois again, in *Roxane*, in *Bajazet*, and either the part suited her better than the others, or she is very much improved. My work is finished, and we stay now only in expectation of my brother, who writes word that he will be here the 2d of November; we shall, of course, stay some days with him, and soon out, I think, the 7th. I have made visits to your friends, the consuls, and dined with Le Brun; he seems heavy, but if he is the author, as they say he is, of the Chancellor Maupeou's addresses to the parliament at the end of Louis XV's reign, it must be his situation that has stupified him, for they are very good indeed. As you had a curiosity about an over-tum, it is very well it was satisfied at so cheap a rate. We shall be very glad to hear that your mode of travelling has been attended with no worse consequences.

"I suppose you will now go in earnest to law. I do not know much of the matter, but I suspect that a regular attendance (and with attention) to the courts, is still more important than any reading whatever; you, of course, read Blackstone over and over again; and if so, pray tell me whether you agree with me



me in thinking his style of English the very best among our modern writers; always easy and intelligible; far more correct than Hume, and less studied and made-up than Robertson. It is a pity you did not see, while you were here, Villerson, the great Grecian, if it were only for the purpose of knowing how fast it is possible for the human voice to go without indistinctness. I believe he could recite the whole *Iliad* in four hours. He has a great deal of knowledge of all kinds, and it is well he has, for at his rate, he would run out a moderate stock in half an hour. I hope soon to hear you are got safe to Dublin; direct you next to St. Anne's Hill, where we hope to be by the 13th of next month. I find the Baronet and Grattan are both in England, so I have no message to send to your country. We have just begun the Roman comique, and have already found the originals of several of Fielding's bloody noses, &c. which made you so angry. We are just going to pay a visit to the Museum.

Your affectionate friends,

C. J. Fox.

E. Fox.

Hotel de Richelieu, Oct. 28.

MY DEAR SIR,

"Pray do not think you trouble me, but quite the contrary, by writing to me; and especially on the subject of your poetical studies. What I do not like in your letter is, your account of yourself; and I am afraid a winter in Dublin, which may not be so useful to you in other respects, may not be quite so well for your health; which, after all, is the grand article. Mrs. F. has not written lately, because you had not told her how to direct; and as she had

not heard of your receiving the last letter she directed to 'Glammis', she feared that might not do. She desires me to say every thing that is kind to you.

"I am very glad you prefer Euripides to Sophocles, because it is my taste; though I am not sure that it is not thought a heresy. He (*Bar.*) appears to me to have much more of facility and nature in his way of writing than the other. The speech you mention of *Electra* is indeed beautiful; but when you have read some more of Euripides, perhaps you will not think it quite univalled. Of all Sophocles's plays, I like *Electra* clearly the best, and I think your epithet to *Oed. Tyr.* a very just one; it is really to me a very disagreeable play; and yet there are many, who not only prefer it to *Electra*, but reckon it the finest specimen of the Greek theatre. I like his other two plays upon the Theban story both better, i. e. the *Oed. Col.* and the *Antigone*. In the latter there is a passage in her answer to Cicero that is, perhaps, the sublimest in the world; and, in many parts of the play there is a spirit almost miraculous, if, as it is said, Sophocles was past eighty when he composed it. Cicero has made great use of the passage I allude to, in his oration for Milo. I suppose you selected Hipp. and Iph. in *Aulis*, on account of Racine; and I hope you have observed with what extreme judgment he has imitated them. In the character of Hipp. only, I think he has fallen short of his original. The scene of *Phædra's* discovery of her love to her nurse, he has imitated pretty closely, and if he has not surpassed it, it is only because that was impossible. His *Clytemnestra*, too, is excellent, but would have been better if he had ventured to bring on the young Orestes.

Orestes at Eur. does. The change which you mention in the Greek Iphigenia, I like extremely; but it is censured by Aristotle as a change of character,—not, I think, justly. Perhaps the sudden change in Mendiane, which he also censures, is less defensible. Now, though the two plays of Eur. which you have read, are undoubtedly among his best; I will venture to assure you, that there are four others you will like full as well; Medea, Phœnissæ, Heraclidæ, and Alceste; with the last of which, if I know any thing of your taste, you will be enchanted. Many faults are found with it, but those faults lead to the greatest beauties. For instance, if Hercules's levity is a little improper in a tragedy; his shame afterwards, and the immediate consequences of that shame being a more than human exertion, afford the finest picture of an heroic mind that exists. The Speech beginning *ὦ πολλὰ πλάσσει καρδιά*, &c. is divine. Besides the two you have read, and the four I have recommended, Hercules Furens, Iph. in Tauris, Hecuba; Bacchæ; and Troacles, are all very excellent. Then come Iow, Supplices, Electra, and Helen; Orestes and Andromache &c. in my judgment, the worst. I have not mentioned Rheus and Cyclops, because the former is not thought to be really Euripides', and the latter is entirely comic, or rather a very coarse farce; excellent, however, in its way, and the conception of the characters not unlike that of Shakespeare's Caliban. I should never finish, if I were to let myself go upon Euripides. In two very material points, however, he is certainly far excelled by Sophocles: 1st, in the introduction of proper subjects in the songs of the chorus; and 2dly, in the management of his plot. The extreme absurdity of the chorus, in Medea sur-

fering her to kill her children, and of that in Phœdra, letting her hang herself, without the least attempt to prevent it, has been often and justly ridiculed; but what signify faults, were there are such excessive beauties? Pray write soon, and let me know, if you have read more of these plays, what you think of them.

"If you do not go to Dublin before my brother returns, you had better commission somebody to call at the Royal Hospital, for some books of which Mrs. H. Fox took the charge for you, but which, as she writes, she does not know where to send. I think my brother's return a very bad symptom of the intentions of Government with regard to poor Ireland; but that is a subject as fruitful, though not so pleasant, as that of Euripides.

Yours, ever most truly,

C. J. FOX.

St. Anne's Hill, Friday.

P. S. When you have read the two farewell speeches of Medea and Alceste to their children; I do not think you will say that Electra's is quite unvalued; though most excellent undoubtedly it is.

MY DEAR SIR,

"I enclose you a letter for Mr. G. Ponsonby, to whom also I mentioned you in a letter I wrote him a few days since, upon another subject. We are very happy, indeed, to hear so much better account of your health, than that which you gave in your former letters. Now that you are settled in Dublin, and hard at it with the law, I ought not, according to common notions, to answer your questions about *Æschylus*, &c. but I am of opinion, that the study of good authors, and especially poets, ought never to be inter-

mitted

mitted by any man who is to speak or write for the public, or, indeed, who has any occasion to tax his imagination, whether it be for argument, for illustration, for ornament, for sentiment, or any other purpose. I said nothing of *Æschylus*, because I know but little of him; I read two of his plays, the *Septem apud Thebas*, and the *Prometheus*, at Oxford; of which I do not remember much, except that I liked the last far the best. I have since read the *Eumenides*, in which there are, no doubt, most sublime passages; but in general the figures are too forced and hard for any taste; and there is too much of the grand and terrific and gigantic, without a mixture of any thing either tender or pleasant, or elegant, which keeps the mind too much on the stretch. This never suits my taste; and I feel the same objection to most parts of the *Paradise Lost*, though in that poem there are most splendid exceptions, *Eve*, *Paradise* &c. I have heard that the *Agamemnon*, if you can conquer its obscurity, is the finest of all *Æschylus*'s plays; and I will attempt it when I have a little time. I quite long to hear how you are captivated with *Alceste*, for captivated I am sure you will be.

"Mrs. Fox desires to be remembered kindly; we have been a great deal from home these last two months, twice at Lord Robert's, and Woburn, and Mr. Wintbread's; we are now here, as I hope, to stay with little interruption; and very happy we are to be here quietly again, though our parties were very pleasant; and I think change of air at this time of the year is always good for the colds to which Mrs. Fox is so subject.

"I was just going to end without noticing *Pindar*; I dare say the obscurities are chiefly owing to our

want of means of making out the allusions; his style is more full of allusions than that of any other poet, except, perhaps, *Dante*, who is on that account so difficult, and, as I think, on that account only. The fine passages in *Pindar* are equal to, if not beyond, any thing, but the want of interest in the subjects, and, if it is not blasphemy to say so, the excessive profusion of words, make him something bordering upon tedious. There is a fine in the celebrated passage in the second *Olympic*, which begins *αἶψα ἰστασιν, οὐρα*, that is quite unequalled in any poem whatever; and the sweetness in the preceding part, describing the happy islands, is in its way almost as good. Pray let us hear from you soon, that you are well, and happy: if you read the *Hæcudidæ* of Euripides, pray tell me if you are particularly struck by one passage in Demophoon's part; if you miss it, I will point it out to you.

Your's sincerely,

C. J. Fox.

St. Ann's Hill, Monday.

"P. S. Woodlarks are said to be very common in the West of England; here we have a few, and but few. The books which you left were sent by my brother, but he not being able to find your direction, brought them back.

MY DEAR SIR,

"I heard, yesterday, for the first time, a report that you had been very unwell; pray lose no time in writing me a line, either to contradict the report, or to say that you are recovered. I know you will excuse my having been so long without writing, on the score of the constant business which I had in London, and which, you know, me enough

though to know is not very agreeable to my nature.

"I have now been here a little more than three weeks, and hope soon to get again to my Greek, and my History, but hitherto have had too many visitors to have much leisure. I have read Iphigenia in Aulis since I last wrote, and think much more highly of it than I did on the first reading. The scene where the quarrel and reconciliation between the brothers is, has always been blamed, on account of the too quick change of mind in Menelaus; but I like it very much; and there is something in the manner of it that puts me in mind of Brutus and Cassius, in Shakespeare. We have had no very good weather; but this place has been in great beauty, greater, if possible, than ever. Is there any chance of your coming to England? If there is, you know we expect and insist that you come directly hither. I hope that, with the exception of a few occasional visits of two or three days, I shall be here with little interruption, till the meeting of parliament. Mrs. Fox desires me to say every thing that is kind for her. She, too, says she has been too busy to write; and the truth is, that the company we have had here has entirely taken up her time. Pray lose no time in writing.

Your's, ever affectionately,

C. J. Fox.

St. Ann's Hill, Tuesday.

"P. S. I am sure it will give you pleasure to hear that Grattan's success in the H. of C. was complete and acknowledged, even by those who had entertained great hopes of his failure.

"I do not know what interest your relations have in the county of Downe, nor what you have with them; but if their interest could be

get in favour of Mrs. Mendo, I should be very happy; if you should hear how the election is going on, I should be obliged to you, if you would mention it.

"MY DEAR SIR,

"It gives Mrs. F. and me great pleasure to hear that you think you are getting better, and that, too, in spite of the weather, which, if it has been with you as with us, has been by no means favourable to such a complaint as your's. The sooner you can come the better; and I cannot help hoping that this air will do you good. Parts of the first, and still more of the second book of the *Æneid*, are capital indeed; the description of the night sack of a town, being a subject not touched by Homer, hinders it from having that appearance of too close imitation which Virgil's other battles have; and the details, Priam's death, Helen's appearance, Hector's in the dream, and many others, are enchanting. The *Proem*, too, to *Æneas's* narration is perfection itself. The part about Sinon and Iliadon does not so much please me, though I have nothing to say against it. Perhaps it is too long, but whatever be the cause, I feel it to be rather cold. As to your friend's heresy, I cannot much wonder at, or blame it, since I used to be of the same opinion myself; but I am now a convert; and my chief reason is, that, though the detached parts of the *Æneid* appear to me to be equal to any thing, the story and characters appear more faulty every time I read it. My chief objection (I mean that to the character of *Æneas*) is, of course, not so much felt in the three first books; but afterwards, he is always either insipid

or odious, sometimes excites interest against him, and never for him.

"The events of the war, too, are not striking; and Pallas and Læmus, who most interest you, are in effect exactly alike. But, in parts, I admire Virgil more and more every day, such as those I have alluded to in the second book; the finding of Andromache in the third, every thing relating to Dido; the sixth book; the visit to Evander, in the eighth; Nisus and Euryalus, Mezentius's death, and many others. In point of passion I think Dido equal, if not superior, to any thing in Homer, or Shakespeare, or Euripides; for me, that is saying every thing.

"One thing which delights me in the *Iliad* and *Odyssey*, and of which there is nothing in Virgil, is the picture of manners, which seem to be so truly delineated. The times in which Homer lived undoubtedly gave him a great advantage in this respect; since from his nearness to the times of which he writes, what we always see to be invention in Virgil, appears like the plain truth in Homer. Upon this principle a friend of mine observed, that the characters in Shakespeare's historical plays always appear more real than those in his others. But, exclusive of this advantage, Homer certainly attends to character more than his imitator. I hope your friend, with all his partiality, will not maintain that the simile in the first *Æneid*, comparing Dido to Diana, is equal to that in the *Odyssey*, comparing Nereïssa to her, either in propriety of application, or

in beauty of description. If there is an Appollonius Rhodius where you are, pray look at Medea's speech, *Lib. iv. v. 365*; and you will perceive, that even in Dido's finest speech, *hec tibi diem parans, &c.* he has imitated a good deal, and especially those expressive and sudden turns, *neque te teneo, &c.* but then he has made wonderful improvements, and, on the whole, it is, perhaps, the finest thing in all poetry.

"Now, if you are not tired of all this criticism, it is not my fault. The bad weather has preserved a verdure here, which makes it more beautiful than ever; and Mrs. F. is in nice good health, and so every thing goes well with me, which I am sure you will like to hear; but I have not yet had a moment for history. I sent you, some weeks ago, though I forgot to mention it in my letter, some books you had left in England, by a gentleman, whose name, I think, is Croker. It was Rolleston who undertook to give them him, directed to you in Capel-street. I added to them a duplicate I had of Miller, on the English Constitution; a book dedicated to me, and which is written on the best and soundest principles; but I fear it is more instructive than amusing, as, though a very sensible man, he was not a lively one.

Yours, very affectionately,

C. J. Fox.

St. Anne's Hill, Wednesday.

P. S. Even in the first book, *Æneat* says, "*Sum pius Æneas famæ super æthera notus.*" Can you bear this?

## EARL OF ELGIN'S PURSUITS OF THE FINE ARTS IN GREECE.

[FROM THE MEMORANDUM ON THIS SUBJECT.]

In the year 1799, when Lord Elgin was appointed his Majesty's Ambassador Extraordinary to the Ottoman Porte, he happened to be in habits of frequent intercourse with Mr. Harrison, an architect of great eminence in the west of England, who had there given various very splendid proofs of his professional talents, especially in a public building of Grecian architecture at Chester. Mr. Harrison had besides studied many years, and to great purpose at Rome. Lord Elgin consulted him, therefore, on the benefits that might possibly be derived to the arts in this country, in case an opportunity could be found for studying minutely the architecture and sculpture of ancient Greece; and his opinion very decidedly was, that although we might possess exact measurements of the buildings at Athens, yet a young artist could never form to himself an adequate conception of their minute details, combinations, and general effects, without having before him some such sensible representation of them as might be conveyed by *casts*. This advice, which laid the groundwork of Lord Elgin's pursuits in Greece, led to the further consideration, that, since any knowledge which was possessed of these buildings had been obtained under the peculiar disadvantages which the prejudices and jealousies of the Turks had ever thrown in the way of such attempts, any favourable circumstances which Lord Elgin's embassy might offer should be improved fundamentally;

and not only modellers, but architects and draftsmen, might be employed, to rescue from oblivion, with the most accurate detail, whatever specimens of architecture and sculpture in Greece had still escaped the ravages of time, and the barbarism of conquerors.

On this suggestion, Lord Elgin proposed to his Majesty's Government, that they should send out English artists of known eminence, capable of collecting this information in the most perfect manner; but the prospect appeared of too doubtful an issue for ministers to engage in the expense attending it. Lord Elgin then endeavoured to engage some of these artists at his own charge; but the value of their time was far beyond his means. When, however, he reached Sicily, on the recommendation of Sir William Hamilton, he was so fortunate as to prevail on Don Tiz Lusieri, one of the best general painters in Europe, of great knowledge in the arts, infinite taste, and most scrupulously exact in copying any subject he is to represent, to undertake the execution of this plan; and Mr. Hamilton, who was then accompanying Lord Elgin to Constantinople, immediately went with Mr. Lusieri to Rome; where, in consequence of the late revolutions in Italy, they were enabled to engage two of the most eminent *formatori* to make the *madreformi* for the casts: Signior Balestra, the first architect there, along with Ittar, a young man of great talent, to undertake the archi-  
tecture

tectural part of the plan; and one Theodore, a Calmouk, who had distinguished himself during several years at Rome, in the capacity of figure painter.

"After much difficulty, Lord Elgin obtained permission from the Turkish Government to establish these six artists at Athens; where they prosecuted the business of their several departments during three years, acting on one general system, with the advantage of mutual control, and under the general superintendence of M. Lusieri. They at length completed Lord Elgin's plan in all its parts.

"Accordingly, every monument, of which there are any remains in Athens, has been thus most carefully and minutely measured; and, from the rough draughts of the architects, (all of which are preserved,) finished drawings have been made of the plans, elevations, and details of the most remarkable objects; in which the Calmouk has restored and inserted all the sculpture, with exquisite taste and ability. He has besides drawn, with astonishing accuracy, all the bas-reliefs on the several temples, in the precise state of decay and mutilation in which they at present exist.

"Most of the *bas-reliefs*, and nearly all the characteristic features of architecture, in the various monuments at Athens, have been moulded, and the moulds of them have been brought to London.

"Besides the architecture and sculpture at Athens, all remains of them which could be traced through several other parts of Greece, have been measured and delineated, with the most scrupulous exactness, by the second architect, Ittar.

"And picturesque views of Athens, of Constantinople, of va-

rious parts of Greece, and of the Islands of the Archipelago, have been executed by Don Taz Lusieri.

"In the prosecution of this undertaking, the artists had the mortification of witnessing the very wilful devastation, to which all the sculpture, and even the architecture, were daily exposed, on the part of the Turks and travellers. The Ionic Temple, on the Illyssus, which, in Stuart's time, (about the year 1739,) was in tolerable preservation, had so completely disappeared, that its foundation could no longer be ascertained. Another temple, near Olympia, had shared a similar fate, within the recollection of man. The Temple of Minerva had been converted into a powder magazine, and been completely destroyed, from a shell falling upon it, during the bombardment of Athens by the Venetians towards the end of the seventeenth century; and even this accident had not deterred the Turks from applying the beautiful Temple of Neptune and Erectheus to the same use, whereby it is constantly exposed to a similar fate. Many of the statues on the *posticum* of the Temple of Minerva, (Parthenon,) which had been thrown down by the explosion, had been absolutely pounded for mortar, because they furnished the whitest marble within reach; and the parts of the modern fortification, and the miserable houses where this mortar was so applied, were discovered. Besides, it is well known that the Turks will frequently climb up the ruined walls, and amuse themselves in defacing any sculpture they can reach; or in breaking columns, statues, or other remains of antiquity, in the fond expectation of finding within them some hidden treasures.

"Under

Under these circumstances, Lord Elgin felt himself impelled, by a stronger motive than personal gratification, to endeavour to preserve any specimens of sculpture, he could, without injury, rescue from such impending ruin. He had, besides, another inducement, and an example before him, in the conduct of the last French embassy sent to Turkey before the Revolution. French artists did then remove several of the sculptured ornaments from several edifices in the Acropolis, and particularly from the Parthenon. In lowering one of the metopes, the tackle failed, and it was dashed to pieces; but other objects from the same temple were conveyed to France, where they are held in the very highest estimation, and some of them occupy conspicuous places in the gallery of the Louvre. And the same agents were remaining at Athens during Lord Elgin's embassy, waiting only the return of French influence at the Porte to renew their operations. Actuated by these inducements, Lord Elgin made use of all his means, and ultimately with such success, that he has brought to England, from the ruined temples at Athens, from the modern walls and fortifications, in which many fragments had been used as so many blocks of stone, and from excavations made on purpose; a greater quantity of original Athenian sculpture, in statues, alti and bassi relievi, capitals, cornices, frizes, and columns, than exists in any other part of Europe.

Lord Elgin is in possession of several of the original metopes from the Temple of Minerva. These represent the battles between the Centaurs and Lapithæ, at the nuptials of Pirithous. Each metope contains two figures, grouped in various attitudes; sometimes the Lapithæ vic-

torious, sometimes the Centaurs. The figure of one of the Lapithæ, who is lying dead and trampled on by a Centaur, is one of the finest productions of the art; as well as the groupe adjoining to it, of Hypodamia, the bride, carried off by the Centaur Eurytion; the furious style of whose galloping, in order to secure his prize, and his shrinking from the spear that has been hurled after him, are expressed with prodigious animation. They are all in such high relief, as to seem groups of statues; and they are in general finished with as much attention behind as before. They were originally continued round the entablature of the Parthenon, and formed ninety-two groups. The zeal of the early Christians, the barbarism of the Turks, and the explosions which took place when the temple was used as a gun-powder magazine, have demolished a very large portion of them: so that, with the exception of those preserved by Lord Elgin, it is in general difficult to trace even the outline of the original subject.

The frieze, which was carried along the top of the walls of the cell, offered a continuation of sculptures in low relief, and of the most interesting kind. This frieze being unbroken by triglyphs, had presented much more unity of subject than the detached and insulated groups on the metopes of the peristyle. It represented the whole of the solemn procession to the Temple of Minerva during the Panathenæic festival: many of the figures are on horseback; others are about to mount: some are in chariots; others on foot: oxen, and other victims are leading to sacrifice: the nymphs called Canephoræ, Skiophoræ, &c. are carrying the sacred offerings in baskets and vases; priests, magistrates, warriors,



riors, &c. &c. forming altogether a series of most interesting figures, in great variety of costume, armour, and attitude. Some antiquaries, who have examined this frieze with minute attention, seem to think it contained portraits of many of the leading characters at Athens, during the Peloponnesian war, particularly of Pericles, Phidias, Socrates, Alcibiades, &c. The whole frieze, which originally was six hundred feet in length, is like the temple itself, of pentelic marble, from the quarries in the neighbourhood of Athens.

"The tympanum over each of the porticoes of the Parthenon, was adorned with statues. That over the grand entrance of the temple from the west, contained the mythological history of Minerva's birth from the brain of Jove. In the centre of the group was seated Jupiter, in all the majesty of the sovereignty of the Gods. On his left, were the principal divinities of Olympus; among whom Vulcan came prominently forward, with the axe in his hand, which had cleft a passage for the goddess. On the right was Victory, in loose floating robes, holding the horses of the chariot which introduced the new divinity to Olympus. One of the bombs fired by Morosini, the Venetian, from the opposite hill of the Museum, injured many of the figures in this tympanum; and the attempt of General Kœnigsmark, in 1687, to take down the figure of Minerva, ruined the whole. By purchasing the house of one of the Turkish janizaries, built immediately under and against the columns of the portico, and by demolishing it in order to excavate, Lord Elgin has had the satisfaction of recovering the greatest part of the statue of Victory, in a drapery which discovers the fine form of the figure, with exquisite

delicacy and taste. Lord Elgin also found there the torso of Jupiter and Vulcan, the breast of the Minerva, together with other fragments.

"On the opposite tympanum had been represented the contest between Minerva and Neptune for the honour of giving a name to the city. One or two of the figures remained in this tympanum, and others were on the top of the wall, thrown back by the explosion which destroyed the temple, but the far greater part had fallen: and a house being built immediately below the spot they had occupied, Lord Elgin, encouraged by the succession of his former excavations, obtained leave, after much difficulty, to pull down this house also, and continue his researches. But no fragments were here discovered; and the Turk, who had been induced, though most reluctantly, to give up his house to be demolished, then exultingly pointed out the places in the modern fortification, and in his own buildings, where the cement employed had been formed from the very statues which Lord Elgin had been in hopes of finding. And it was afterwards ascertained, on incontrovertible evidence, that these statues had been reduced to powder, and so used. Then, and then only, did Lord Elgin employ means to rescue what still remained from a similar fate. Among these objects is a horse's head, which far surpasses any thing of the kind, both in the truth and spirit of the execution. The nostrils are distended, the eyes erect; the veins swollen, one might almost say throbbing; his mouth is open, and he seems to neigh with the conscious pride of belonging to the Ruler of the Waves. Besides this immortal head, Lord Elgin has procured, from the same pediment, two colossal groups, each consist-

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ing of two female figures. They are formed of single massive blocks of Parositic marble; their attitudes are most graceful; and the lightness and elegance of the drapery exquisite. From the same pediment has also been procured a male statue in a reclining posture, supposed to represent Neptune. And, above all, the figure denominated the Theseus, which is universally admitted to be superior to any piece of statuary ever brought into England. Each of these statues is worked with such care, and the finishing even carried so far, that every part, and the very plinth itself in which they rest, are equally polished on every side.

"From the Opisthodomos of the Parthenon, Lord Elgin also procured some valuable inscriptions, written in the manner called Kionedon or Colunar, next in antiquity to the Bouastrophedon. The greatest care is taken to preserve an equal number of letters in each line; even monosyllables are separated occasionally into two parts, if the line has had its complement, and the next line then begins with the end of the broken word. The letters range perpendicularly, as well as horizontally, so as to render it almost impossible to make any interpolation or erasure of the original text. The subjects of these monuments are public decrees of the people; accounts of the riches contained in the treasury, and delivered by the administrators to their successors in office; enumerations of the statues; the silver, gold, and precious stones, deposited in the temples; estimates for the public works, &c.

"The Parthenon itself, independent of its decorative sculpture, is so chaste and perfect a model of Doric architecture, that Lord Elgin conceived it to be of the highest importance to the arts, to secure

original specimens of each member of that edifice. These consist of a capital; assizes of the columns themselves, to show the exact form of the curve used in channelling; a triglyph, and motives from the cornice, and even some of the marble tiles with which the ambulatory was roofed: so that, not only the sculptor may be gratified by studying every specimen of his art, from the colossal statue to the basso-relievo, executed in the golden age of Pericles, by Phidias himself, or under his immediate direction; but the practical architect may examine into every detail of the building, even to the mode of uniting the timbers of the columns, without the aid of mortar, so as to give to the shafts the appearance of single blocks.

"Equal attention has been paid to the Temple of Theseus; but as the walls, and columns, and sculpture of this monument, are in their original position, no part of the sculpture has been displaced, nor the minutest fragment of any kind separated from the building. The metopes in mezzo-relievo, containing a mixture of the labours of Hercules and Theseus, have been modelled and drawn, as well as the frieze representing the battle between the Centaurs and Lapithæ, some incidents of the battle of Marathon, and some mythological subjects. The temple itself is very inferior in size and decorative sculpture to the Parthenon; having been built by Cimon, the son of Miltiades, before Pericles had given to his countrymen a taste for such magnificence and expense, as he displayed on the edifices of the Acropolis.

"The original approach to the Acropolis, from the plain of Athens, was by a long flight of steps, commencing near the foot of the Acro-

pagus, and terminating at the Propylæa. The Propylæa was a hexastyle colonnade; with two wings, and surmounted by a pediment. Whether the metopes and tympanum were adorned with sculpture, cannot now be ascertained; as the pediment and entablature have been destroyed, and the intercolumniations built up with rubbish, in order to raise a battery of cannon on the top. Although the plan of this edifice contains some deviations from the pure taste that reigns in the other structures of the Acropolis; yet each member is so perfect in the details of its execution, that Lord Elgin was at great pains to obtain a Doric and an Ionic capital from its ruins. On the right hand of the Propylæa, was a temple dedicated to Victory without wings; an epithet to which many explanations have been given. This temple was built from the sale of the spoils won in the glorious struggles for freedom at Marathon, Salamis, and Plataea. On its frieze were sculptured many incidents of these memorable battles; in a style that has been thought by no means inferior to the metopes of the Parthenon. The only fragments of it that had escaped the ravages of barbarians, were built into the wall of a gun-powder magazine near it, and the finest block was inserted upside downwards. It required the whole of Lord Elgin's influence at the Porte, very great sacrifices, and much perseverance, to remove them; but he at length succeeded. They represent the Athenians in close combat with the Persians, and the sculptor has marked the different dresses and armour of the various forces serving under the great king. The long garments and zones of the Persians, had induced former travellers, from the hasty and imperfect view they had of them, to suppose the subject was the battle be-

tween Theseus and the Amazons, who invaded Attica, under the command of Antiope; but the Persian tiaras, the Phrygian bonnets, and many other particulars, prove them to be mistaken. The spirit with which the groups of combatants are portrayed, is wonderful;—one remark, in particular, the contest of four warriors to rescue the dead body of one of their comrades, which is expressed with uncommon animation. These bas-reliefs, and some of the most valuable sculpture, especially the representation of a marriage, taken from the parapet of the modern fortification, were embarked in the *Mentor*, a vessel belonging to Lord Elgin, which was unfortunately wrecked off the island of Cerigo; but Mr. Hamilton, who was at the time on board, and most providentially saved, immediately directed his whole energies to discover some means of rescuing so valuable a cargo; and, in the course of several months directed to that endeavour, he succeeded in procuring some very expert divers from the islands of Syme and Calymno, near Rhodes; who were able, with immense labour and perseverance, to extricate a few of the cases from the hold of the ship, while she lay in twelve fathoms water. It was impossible to recover the remainder, before the storms of two winters had effectually destroyed the timbers of the vessel.

“Near the Parthenon are three temples, so connected by their structure, and by the rites which were celebrated in them, that they might be almost considered as a triple temple. They are of small dimensions, and of the Ionic order: one of them dedicated to Neptune and Erechtheus; the second to Minerva Polias, the protectress of citadels; the third to the nymph Pandrosos. It was

on the spot where these temples stand, that Minerva and Neptune were said to have contended for the honour of naming the city. Athenian superstition long showed the mark of Neptune's trident, and a briny fountain, which attested his having there opened a passage for his horse; and the original olive tree produced by Minerva was venerated in the temple of Pandrosos, as late as the time of the Antonines.

This temple of Minerva Polias is of the most delicate and elegant proportions of the Ionic order: the capitals and bases of the columns are ornamented with consummate taste; and the sculpture of the frieze and cornice is exquisitely rich. It is difficult to conceive how marble has been wrought to such a depth, and brought to so sharp an edge: the palmetti, ovetti, &c. have all the delicacy of works in metal. The vestibule of the temple of Neptune, is of more masculine proportions; but its Ionic capitals have great merit. This beautiful vestibule is now used as a powder magazine; and no other access to it could be had but by creeping through an opening in a wall which had been recently built between the columns. Lord Elgin was enabled to keep it open during his operations within; but it was then closed, so that future travellers will be prevented from seeing the inner door of the temple, which is, perhaps, the most perfect specimen in existence of Ionic architecture. Both these temples have been measured; and their plans, elevations, and views, made with the utmost accuracy.—All the ornaments have been moulded: some original blocks of the frieze and cornice have been obtained from the ruins, as well as a capital and a base.

The little adjoining chapel of Pandrosos is a most singular speci-

men of Athenian architecture: instead of Ionic columns to support the architrave, it had seven statues of Caryan women; or Caryatides. The Athenians endeavoured, by this device, to perpetuate the infamy of the inhabitants of Carys, who were the only Peloponnesians who sided with Xerxes in his invasion of Greece. The men had been reduced to the deplorable state of Helotes; and the women not only condemned to the most servile employments, but those of rank and family forced in this abject condition, to wear their ancient dresses and ornaments. In this state they are here exhibited. The drapery is fine, the hair of each figure is braided in a different manner, and a kind of diadem they wear on their head forms the capital. Besides drawings and mouldings of all these particulars, Lord Elgin has brought to England one of the original statues. The Lacedæmonians had used a species of vengeance similar to that above mentioned in constructing the Persian portico, which they had erected at Sparta, in honour of their victory over the forces of Mardonius at Plataeæ: placing statues of Persians in their rich oriental dresses, instead of columns, to support the entablature.

"The architects have also made a ground plan of the Acropolis, in which they have not only inserted all the existing monuments, but have likewise added those, the position of which could be ascertained from traces of their foundations. Among these are the Temple and Cave of Pan; to whom the Athenians thought themselves so much indebted for the success of the battle of Marathon, as to vow him a temple. All traces of it are now nearly obliterated; as well as of that of Aglauros, who devoted herself to death to save her country. Here the

the young citizens of Athens received their first armour, enrolled their names, and swore to fight to the last for the liberties of their country. Near this spot the Persians scaled the wall of the citadel, when Themistocles had retired with the remainder of the army, and the whole Athenian navy, to Salamis.

The remains of the original wall may still be traced in the midst of the Turkish and Venetian additions, and they are distinguishable by three modes of construction at very remarkable epochs,—the Pelasgic, the Cecropian, and that of the age of Cimon and Pericles. It was at this last brilliant period, that the Acropolis, in its whole extent, was contemplated with the same veneration as a consecrated temple; consistent with which sublime conception, the Athenians crowned its lofty walls with an entablature of grand proportions, surmounted by a cornice. Some of the massy triglyphs and metopes still remain in their original position, and producing a most imposing effect.

“The ancient walls of the city of Athens, as they existed in the Peloponnesian war, have been traced by Lord Elgin’s artists in their whole extent, as well as the long walls that led to the Munychia and the Piræus. The gates, mentioned in ancient authors, have been ascertained; and every public monument, that could be recognised, has been inserted in a general map; as well as detailed plans given of each. Extensive excavations were necessary for this purpose, particularly at the Great Theatre of Bacchus; at the Pnyx, where the assemblies of the people were held; where Pericles, Alcibiades, Demosthenes, and Æschines, delivered their orations, and at the theatre built by Herodes Atticus, to the memory of his wife Regilla.

The supposed Tumuli of Antiope, Euripides, and others, have also been opened; and from these excavations, and various others in the environs of Athens, has been procured a complete and valuable collection of Greek vases. The colonies sent from Athens, Corinth, &c. into Magna Græcia, Sicily, and Etruria, carried with them this art of making vases, from their mother country; and, as the earliest modern collections of vases were made in those colonies, they have improperly acquired the name of Etruscan. Those found by Lord Elgin at Athens, Ægina, Argos, and Corinth, will prove the indubitable claim of the Greeks to the invention and perfection of this art. Few of those in the collections of the King of Naples at Portici, or in that of Sir William Hamilton, excel some which Lord Elgin has procured, with respect to the elegance of the form, the fineness of the materials, the delicacy of the execution, or the beauty of the subjects delineated on them; and they are, for the most part, in very high preservation. A tumulus, into which an excavation was commenced under Lord Elgin’s eye during his residence at Athens, has furnished a most valuable treasure of this kind. It consists of a large marble vase, five feet in circumference, enclosing one of bronze thirteen inches in diameter, of beautiful sculpture, in which was a deposit of burnt bones, and a lachrymatory of alabastrer, of exquisite form; and on the bones lay a wreath of myrtle in gold, having, besides leaves, both buds and flowers. This tumulus is situated on the road which leads from Port Piræus to the Salaminian Ferry and Eleusis. May it not be the tomb of Aspasia?

“From the Theatre of Bacchus, Lord Elgin has obtained the very ancient

ancient sun-dial, which existed there during the time of Æschylus, Sophocles, and Euripides; and a large statue of the Indian, or bearded Bacchus, dedicated by Thrasyllus in gratitude for his having obtained the prize of tragedy at the Panathenæic festival. A beautiful little temple near it, raised for a similar prize gained by Lysicrates, and commonly called the Lantern of Demosthenes, has also been drawn and modelled with minute attention. It is one of the most exquisite productions of Greek architecture. The elevation, ground-plan, and other details of the octagonal temple, raised by Andronicus Cyrrhestes to the winds, have also been executed with care; but the sculpture on its frieze is in so heavy a style, that it was not judged worthy of being modelled in plaister.

"Permission was obtained from the archbishop of Athens, to examine the interior of all the churches and convents in Athens and its neighbourhood, in search of antiquities; and his authority was frequently employed, to permit Lord Elgin to carry away several curious fragments of antiquity. This search furnished many valuable bas-reliefs, inscriptions, ancient dials, a Gymnasiarch's chair in marble, on the back of which are figures of Harmodius and Aristogiton, with daggers in their hands, and the death of Leena, who bit out her tongue during the torture, rather than confess what she knew of the conspiracy against the Pisistratidæ. The fountain in the court-yard of the English consul Logotheti's house was decorated with a bas-relief of Bacchantes, in the style called Græco-Etruscan: Lord Elgin obtained this, as well as a quadriga in bas-relief, with a Victory hovering over the charioteers, probably an *ex voto*, for some victory at the Olym-

pic games. Amongst the Funeral Cippi found in different places, are some remarkable names, particularly that of Socrates; and in the Cermenis itself Lord Elgin discovered an inscription in elegiac verse, on the Athenians who fell at Potidæa, and whose eulogy was delivered with pathetic eloquence in the funeral oration of Pericles.

"The peasants at Athens generally put into a niche over the door of their cottages, any fragment they discover in ploughing the fields. Out of these, were selected and purchased many curious antique votive tablets, with sculpture and inscriptions. A complete series has also been formed of capitals, of the only three orders known in Greece, the Doric, the Ionic, and the Corinthian; from the earliest dawn of art in Athens, to its zenith under Pericles; and, from thence, through all its degradations, to the dark ages of the lower empire.

"At a convent called Daphne, about half way between Athens and Eleusis, were the remains of an Ionic temple of Venus, equally remarkable for the brilliancy of the marble, the bold style of the ornaments, the delicacy with which they are finished, and their high preservation. Lord Elgin procured from thence two of the capitals, a whole fluted column, and a base.

"Lord Elgin was indebted chiefly to the friendship of the Captain Pacha, for the good fortune of procuring, while at the Dardanelles, in his way to Constantinople, the celebrated Boustrophedon inscription, from the promontory of Sigeum, a monument which several ambassadors from Christian Powers to the Porte, and even Louis XIV. in the height of his power, had ineffectually endeavoured to obtain. Lord Elgin found it forming a seat or couch at the

the door of a Greek chapel, and habitually resorted to by persons afflicted with ague; who, deriving great relief from remaining reclined upon it, attributed their recovery to the marble, and not to the elevated situation and sea air, of which it procured them the advantage. This ill-fated superstition had already obliterated more than one half of the inscription, and in a few years more it would have become perfectly illegible.

"By the aid of this valuable acquisition, Lord Elgin's collection of inscriptions comprehends specimens

of every remarkable peculiarity in the variations of the Greek alphabet; throughout the most interesting period of Grecian history:

"A few bronzes, cameos, and intaglios, were also procured: in particular, a cameo of very exquisite beauty, in perfect preservation, and of a peculiarly fine stone: it represents a female centaur suckling a young one. Lord Elgin was equally fortunate in forming a collection of Greek medals, among which are several that are very rare; others of much historical merit; and many most admirable specimens of art.

#### OF THE ANCIENT LIBRARY AT IONA.\*

[FROM DR. JAMIESON'S HISTORICAL ACCOUNT OF THE ANCIENT  
CULDEES.]

"NOT a little has been said with respect to the *Library at Iona*. But, besides having to regret the loss of this very ancient collection, we have not even the slender consolation of certainly knowing what was its fate. It is more than probable, however, that, like other monuments of antiquity, which have fallen a sacrifice to the depredations of time, its value has been considerably overrated.

"The public," says Pennant, "was greatly interested in the preservation of this place, for it was the repository of most of the ancient Scotch records. The library here must also have been invaluable, if we can depend upon Boethius, who asserts, that Fergus II. assisting Alaric the Goth, in the sacking of Rome, brought away, as share of the plunder, a chest of books, which

he presented to the monastery of Iona. Aeneas Sylvius (afterwards Pope Pius II.) intended, when he was in Scotland, to have visited the library, in search of the lost books of Livy, but was prevented by the death of the King, James I. A small parcel of them were, in 1525, brought to Aberdeen, and great pains were taken to unfold them, but, through age, and the tenderness of the parchment, little could be read; but, from what the learned were able to make out, the work appeared by the style to have rather been a fragment of Sallust, than of Livy."

"But the account given by Boece is clogged with difficulties. 1. It is said that, besides the chest of books, there fell to the share of Fergus *sacra quedam vasa*, "certain sacred vessels," which he also brought

\* In modern language Icopunkill.

with him. Now, Boece himself has told us, what we know from other sources, that the Goths respected the sacred edifices. Alaric gave a peremptory order, that all the consecrated vessels, belonging to St. Peter, should be transported, without damage or delay, to his church. But, although these only are mentioned, in consequence of their being found, by the soldiers, under the care of an aged virgin; it is most probable, that this prince would show the same regard to all other vessels consecrated to the purposes of religion.

"2. This account involves a gross anachronism. Fergus must have made his donation to the monastery of Iona about a hundred and sixty years before the foundation stone of it was laid. For Boece says, that Alaric sacked Rome A. 412. Now Columba did not land in Iona till the year 563, or, as some say, 565. Here, we are told, Fergus employed approved scribes, for reducing the manuscripts to the form of books, several ages, as would seem, before the art of writing was known in the country.

"3. The same writer elsewhere says, that although Fergus had appointed Iona to be a repository for the public records, yet Alexander I. on account of the great difficulty of the access to Iona, had caused our annals to be transferred to the priory of Restennet, in Angus. Maitland has observed, that hence it was evident, that in Boece's time there could be no records at Iona; and, therefore, that he could not get his *Veremundus* from this island.

"As Boece mentions our annals only, it may be said, that he did not refer to the ancient classical works, which Alexander might not think of demanding from the monks of Iona.

"I might even be supposed, that Maitland had not sufficient ground for charging Boece with self-contradiction, as to our annals; as some of them, notwithstanding the requisition made by Alexander I. might still have been retained at Iona, being concealed by the monks, or afterwards procured by them from other quarters; of which circumstance Boece might be informed, when he made more particular inquiry with a view of writing his history. But it cannot be denied, that, by referring to works unknown to all our historians, as to those of Cornelius Hibernicus, Veremund, and Campbell, of whose writings, nay, of whose existence, we can discover no other vestiges, he has greatly injured the credibility of his whole story with respect to the communications from Iona. The most favourable opinion which can possibly be formed of the conduct of Boece, and it is very little to his credit indeed, is, that he had destroyed the manuscripts which he had used, that his own history might be in greater request. This, as we learn from Gordon of Straloch, was the tradition which, when a young man, he had heard at Aberdeen.

"Nor can it at all be believed, that the classical MSS. were brought from Rome by Fergus. There is little probability indeed, that Fergus ever was at Rome; and still less, that an Irish prince, in that early age, would encumber himself, during his military labours, with a chest of books, written in a language to which, we may reasonably suppose, he was an entire stranger.

"It must be admitted, however, that from a writer, who has frequently substituted fable for history, credit is sometimes withheld, even when he may have a just claim to it. This may have been the fate of Boece,



Boece, in the instance before us. It must be acknowledged, that he does not, as Pennant says, assert that these books were brought from Rome by Fergus. He only gives it as a tradition, or report; *Kyunt, &c.* Besides, there is a considerable appearance of integrity in his account of the transmission and examination of these works. He claims no merit in the discovery. All the honour that he claims is the partial execution of a plan previously formed by a person warmly attached to the interests of literature, who had come to this country as papal legate, not a century before the time that Boece wrote. If a foreigner, holding such a distinguished place, entertained the design of making a visit to Iona, for the express purpose of inspecting the library there, it must have been well known, and highly gratifying to our countrymen. Nor could the memory of this design have perished, in so short a time, among those who had any regard to learning; especially as it was frustrated by a calamitous event that so deeply interested every friend to his country. Even Boece, therefore, would not have ventured such an assertion, had he not been assured of the fact.

“He also says, that it was in consequence of the great celebrity of these books, preserved in Iona, that he was so anxious to examine “what they were, and what they treated of.” He assumes nothing to himself in the account which he gives of their transmission. On the contrary, he owns that the religious of Iona did not comply with his request, till after the third application; and this chiefly by the good offices of the noble and learned Campbell, his majesty’s treasurer. Boece published his history while Campbell was alive; and can it be

supposed, that he would have introduced a man of his respectability as a witness to a gross falsehood, liable also to contradiction from all the monks at Iona? His history was published, indeed, little more than a year after the time assigned as the date of the receipt of these books. He had even exposed himself to re- crimination from these monks, if there was any ground for it; as he ascribes the deplorable state of the manuscripts, rather to the carelessness of their guardians, than to the waste of time. A reflection of this kind might well be supposed to excite *l’esprit du corps*.

“Having mentioned the lost books of Livy as the great *desideratum*, had the story been entirely a fabrication, it would have been as easy for him to have said, that the fragments which he examined indicated the style of this author, as to have ascribed them to Sallust; and more natural, as giving greater importance to his pretended investigation.

“It also deserves observation, that Boece speaks of these manuscripts as inspected, while in his custody, by a variety of learned men; and candidly confesses, that it could not be determined, whether they had been written in Scotland, or brought from abroad, being written after the Roman mode, as they treated of Roman affairs. “This only,” he says, “appeared to the judgment of all who saw them, that they savoured more of the style of Sallust than of Livy.” Had he never received these manuscripts, or had he shewed them to none of his literary friends, would he ever have hazarded such a declaration?

“It may be added, that; while the learned Usher scouted the idea of their being brought from Rome by Fergus, he admits the narrative of Boece, as far as it regards these fragments.

ments. Gibbon also, a writer abundantly fastidious as to evidence, has no hesitation in saying, that Iona was "distinguished by a classic library, which afforded some hopes of an entire Livy."

"There can be no doubt," it has been said of late, "but the many learned men that flourished at I. had the classics among them, and all the books on divinity and sciences these ages could afford. It can be as little doubted, that, like other societies of learned men, they committed their own works to writing, as well as the transactions of their countrymen." With respect to classical works, however, it must be regretted, that we have no better proof than conjecture, besides what may be supposed to arise from the testimony of Boece. I am rather inclined to think, that their collection of theological works was never very extensive; because, in early ages at least, the religious of this seminary were chiefly devoted to the reading and transcribing of the scriptures, and of sacred hymns. Columba spent much of his time in writing. He employed his disciples in the same manner; and was at pains that they should transcribe with the greatest accuracy. Dr. Smith, speaking of his successors, says, "How well they studied the languages, appears from the excellent Latin of Cummin, and of Adomnan, who discovers also his knowledge of Greek and Hebrew, and wrote a geography of the Holy Land." This work Bede not only ascribes to Adomnan, but highly commends. "The same person," he says, "wrote a book concerning the holy places, most useful to many readers. He received his information from Arculphus, a French bishop, who had gone to Jerusalem to visit the holy places, and who, having surveyed all the

Land of Promise, travelled to Damascus, Constantinople, Alexandria, and many islands, and returning home by sea, was, by a violent storm, brought to the western coast of Britain. After many accidents, coming to Adomnan, the servant of Christ above mentioned, as he appeared to be learned in the Scriptures, and well acquainted with the holy places, he was most readily received, and attentively listened to by him; so that what things soever he had seen in these places worthy of remembrance, he forthwith committed to writing. Thus he composed a work very useful, and especially to those, who, being far removed from these places, where the patriarchs and apostles dwelt, know nothing more of them than what they learn by reading." Bede then proceeds to give some extracts from this work, which occupy two chapters. The work itself is extant in Mabillon's Collections.

"Many works, both in Latin and in Irish, are said to have been written by Columba himself; and among these, the life of the patron saint of Ireland. The life of Columba, we are told, was written, in Irish metre, by his cousin, disciple, and successor, Baithen, who was also canonized. To Abbot Cummin several writings are ascribed, beside the life of Columba, published by Mr. Pinkerton, and referred to above, which was undoubtedly his work. Of these, the writings of Adomnan, and of other abbots who succeeded him, there is every reason to believe that copies would be carefully preserved in the monastery. Men, who were so much devoted to writing, would strain every nerve to increase the number of their books.

"What then," may it be inquired, "has become of this library? How can it be accounted for, that it should

entirely disappear." This has been primarily ascribed to the inroads of the Danes. These were frequent and fatal. The monastery of Iona was burnt by them, A. 797; a second time, 801; and it was destroyed by fire in the year 1069. A. 805, the family of Iona, to the number of sixty-eight, was destroyed by the pirates of that nation; and in 985, they rifled the monastery, and killed the abbot, with fifteen of his disciples. "If the barbarians," it has been said, "had the library in their power, no doubt they would destroy it." According to the information of Pennant, it would appear, that, perhaps, while the Norwegian princes were sovereigns of the isles, they judged it proper to carry some of the more valuable MSS. to a place of security in their own country. "I am informal," he says, "that numbers of the records of the Hebrides were preserved at Drontheim, till they were destroyed by the great fire which happened in that city, either in the last or present century." This, however, might take place after the cession of the Hebrides; for, by the treaty made on this occasion, "the patronage of the bishopric of Sodor was reserved to the Archbishop of Drontheim in Norway."

"The learned Torffaeus does not seem to have been so well informed, with respect to the depredations made by his countrymen in the island of Iona, as might have been expected. He says, that in the year 1210, a squadron of piratical ships, to the number of twelve, under Birkibien and Bagli, taking advantage of the intestine divisions of the princes of the Hebridae, committed many depredations in this quarter, and plundered the *Holy Island*, or that of St. Columba, which, till that time, had never been subjected to

any injury from the Norwegians, as being protected by its sanctity. He asserts this, as attested by all their annals. The facts formerly quoted, however, rest on the combined testimony of the Annals of Ulster, and of the Irish martyrologists.

"Bishop Nicolson, speaking of the library at Icolmkill, says, "Our King Edward the First, having claimed the sovereignty of Scotland, made a most miserable havoc of the histories and laws of that kingdom; hoping, that, in a short time, nothing should be found in all that country, but what carried an English name and face."

"The second great loss of the Scotch records," according to his mode of enumeration, "happened upon the mighty turn of the Reformation; when the monks, flying to Rome, carried with them the register-books, and other ancient treasure of their respective monasteries." "At the Reformation," says another writer, "the MSS. of I. were in part carried to the Scotch colleges of Doway, or to Rome, at least the chartularies, and such as were esteemed most valuable by the monks." The college of Ratisbon has also been mentioned, as possessing part of this spoil. But, from all that I have been able to learn from such of our countrymen as have resided, or been trained up, in the Scotch colleges on the continent, it would appear, that there has been far less ground for this assertion than has been generally imagined. If an accurate search were made, by such travellers as really possessed a literary character, and took an interest in the present history of our country, more perhaps might be discovered among the treasures of the Vatican, than any where else.

"The indiscreet zeal of the reformers

formers has also, with too much reason, been viewed as a principal cause of the destruction of this library. "The register and records of the island," according to Pennant, "all written on parchment, and probably other more antique and valuable remains, were all destroyed by that worse than Gothic synod, which at the Reformation, declared war against all science." He might perhaps allude to the act of the convention of estates, A. 1561, "passed at desire of the church, for demolishing all the abbeys of monks and friars, and for suppressing what, soever monuments of idolatry were remaining in the realm, the execution whereof in the west parts was committed to the Earls Arrane, Argyll, and Glencarne." In consequence of this appointment, "ensued a pitiful vastation of churches and church-buildings throughout all the parts of the realm; for every man made bold to put to his hand (the meaner sort imitating the greater, and those who were in authority). They rifled all churches indifferently, making spoil of every thing they found. The very sepulchres of the dead were not spared, but digged, ript up, and sacrilegiously violated. Bibliotheks destroyed, the volumes of the fathers, councils, and other books of humane learning, with the registers of the church, cast into the streets, afterwards gathered in heaps, and consumed with fire." Could we give full credit to this account, who could read it without regretting, that men, whose intentions were good, should act with as little discrimination, as if they had reckoned learning inimical to religion, or proposed, as their pattern, the sentence of the Saracen caliph with respect to the inestimable library of Alexandria! But it can scarcely be supposed that

any of the nobility or ministry would give their sanction to the destruction of libraries. What happened in this way must be attributed to the unbridled licentiousness of the ignorant rabble, when once let loose. Spotswood himself views it in this light; for he subjoins, "But popular fury, once armed, maketh no difference; nor doth it any thing with advice and judgment."

"With respect to the library of Iona," it is said, that some of the MSS. were carried to Inverary, and that a Duke of Montague found some of them in the shops there, used as snuff paper." This traditionary account most probably respects the time referred to in the sentence immediately subjoined: "If any of them were in the library of the family of Argyll, the persecution that family underwent, in the time of Charles II. accounts for none being there now." What is here said receives considerable support from a circumstance mentioned by Sacheverell, in relation to a book which had certainly been brought from Iona. "The dean of the isles, Mr. John Frazer, an honest episcopal minister, told me, his father, who had been dean of the isles, left him a book with above 300 inscriptions," taken from the monuments of Iona, "which he had lent to the late Earl of Argyll, a man of incomparable sense, and great curiosity; and doubts they are all lost by that great man's afflictions."

"With respect to our ancient registers in general, Bishop Nicolson says, "The third, and killing blow was given them by Oliver Cromwell, who brought most of the poor remains that were left into England; and they likewise were mostly lost in their return by sea." It is probable, that he alludes to those of the monastery of Iona, in common with

others. Whether Cromwell actually sent to Iona, with an intention to carry off any gleanings that might be found there in his time, we cannot determine. But it will afterwards appear, that his usurpation has been viewed as at least the accidental cause of the destruction of a considerable portion of its precious remains.

"Whether it was owing to the depredations of the Danes, or to the indifference of the Culdees of Iona to the works of the fathers, it is not easy to determine; but the fact seems well authenticated, that, in the ninth century, the only book of this description, which they had, was one of the writings of Chrysostom. The anonymous author of the life of this father gives the following account. "Certain clergymen, who, from among those who inhabit the extremities of the world, coming, upon the account of some ecclesiastical traditions, but particularly the observation and exact calculation of Easter, to the royal city [of Constantinople] did wait upon the patriarch who at that time resided therein. This was Methodius, a man famous in the days of our ancestors; by whom being questioned from what place, and on what occasion, they had travelled thither? they answered, that they came from the *Schools of the Ocean*; and withal they clearly explained to him the occasion of coming from their own country. He demanding, by what traditions of the fathers or doctors they governed themselves? they said, that they had one only book of the father Chrysostom, from whence they happened clearly to learn the faith, and the exact observation of the commands; affirming, that they daily reaped great advantage by this piece, which was very agreeable and acceptable to all,

being handed about from one to another, and diligently transcribed; insomuch that there was no city, as they said, nor any of their clans, or territories, that remained void of so great and important a benefit."

"A few books have been mentioned, by different writers, within the last century, or a little further back, some of which may have once formed part of the library at Iona.

"In the account of the island of Mull, which is separated from Iona only by a narrow sound, it is said. "Since the Reformation, the parish has produced none eminent for learning, if we except the Beatonsons of Pannicross, who were doctors of physic. The family is now extinct; but they are still spoken of in the country with admiration for their skill in physic. It is said, that one of them was sent for to attend one of the kings of Scotland. They had a large folio MS. in Gaelic, treating of physic, which was left with a woman, the heiress of the Beatonsons, and seen by some now living; but what became of it, the incumbent, after all his inquiries, could not find. It is perhaps lost, as the heirs of this woman are quite illiterate."

"In this monastery particular attention seems to have been paid to the science of medicine. "The *Olla Illeach* and *Olla Muileach*," says Dr. Smith, "the ancient and famous line of physicians in Ilay and in Mull, must no doubt have derived their first knowledge from this seminary. I had from Major Maclachlan, in the neighbouring island of Luing, a MS. in the Irish character and language, on the subject of medicine and surgery, which appeared, from being compared with Astle's specimens, to have been of a most remote antiquity; and it is likely that it was written by some of the learned men in Iona."

"Of what has been written at Iona," says Mr. M'Nicol, "I have heard, in particular, of a translation of St. Augustine *De Civitate Dei*, and a *Treatise in Physic*, which is very old. The former was in the possession of the late Mr. Archibald Lambie, minister of Kilmartine, in Argyleshire, and the latter was preserved in the Advocates' library at Edinburgh, where, no doubt, it is still to be seen."

"Many copies of the Life of Columba seem to have been dispersed through the islands, in the vernacular tongue." "The Life of Columbus," Martin says, "written in the Irish character, is in the custody of John Mack-Niel, in the isle of Barry; another copy of it is kept by Mack-Donald of Benbecula."

"We are informed by Mr. Lloyd," says Dr. Macpherson, that "there is still in the Bodleian library, at Oxford, an Irish manuscript, entitled, *The Works of Columcille*, in verse, containing some account of the author's life, together with his prophecies and exhortations to princes."

"The same industrious writer observes, that there is in the library of Trinity College, at Dublin, some other most curious and wonderfully ancient manuscript, containing the four gospels, and a variety of other matters. The manuscript is called *The Book of Columcille*, and thought to have been written by Columba's own hand. Flann, King of Ireland, ordered a very costly cover to be given this book. On a silver cross, which makes a part of that cover, is still to be seen an Irish inscription, of which the li-

teral meaning is, 'The prayer and blessing of Columcille to Flann, the son of Mailsheachnail, King of Ireland, who made this cover;' and, should the manuscript be of no greater antiquity than the reign of that prince, it must be above nine hundred years old. "This story, however," Dr. Macpherson adds, "carries with it a great degree of improbability; and it is more than probable, that this *Book of Columcille* arose from the pious fraud of a much later age."

"I shall conclude this meagre account of a library once so famous, with the latest notices which I have met with on the subject. They occur in a posthumous work of the late learned Dr. Walker of the university of Edinburgh. "All that I could learn of its fate," he says, "was, that the reformers came so suddenly upon Icolumbkill, that the inhabitants had time to carry little or nothing away. Some of the books and papers, however, were conveyed to the castle of Cairnburg, belonging to the chief of the Macleans, and then judged impregnable. Here they remained till a siege, in the time of Cromwell, when they were mostly destroyed by fire. Some of them, however, still escaped, of which I got notice of one manuscript, and saw an old gentleman in whose hands it had been for some time; but found, after hunting it through three or four islands, that the last leaves of it, as it was unhappily vellum, had fallen a sacrifice for measures to a tailor. It was a Latin translation of an Arabian work on physic."

# A LOVE OF THE MARVELLOUS, INHERENT IN HUMAN NATURE,

[FROM MRS. GRANT'S ESSAYS ON THE SUPERSTITIONS OF THE HIGHLANDERS.]

**H**AVING now endeavoured to illustrate, by these details, the position which I had laid down, that poetry, social intimacy, and social pursuits, with 'generous shame,' or the honourable sensibility to reproach and disgrace, had a great share in softening the manners, and preserving the morals of the primitive and continuous race who form the subject of these discussions,—I shall now return once more to the primary object of these essays, which was, the history of highland superstitions, traced as far as possible up to its first causes; and, as far as is compatible with its obscurity, through its past and remaining effects.

When I venture to insinuate, that superstition such as theirs, in the twilight of knowledge, and in the almost total absence of coercive power and legal restriction, was a benefit rather than a disadvantage, I have no doubt of exciting astonishment and displeasure: many, and those very well-intentioned, will be ready to adopt the words of my motto—

And do they only stand by ignorance?

Is that their happy state?

The proof of their obedience and their love!

"This plausible objection, and reflection on the manner in which the Author of our existence deals with his creatures, is put into the mouth of the enemy of mankind; and what he says of our first parents

applies as closely to those to whom light is but partially revealed, and who can only give proof of their obedience and their faith by walking humbly in the path allotted to them, under a perpetual consciousness of the felt presence of the Divinity.

He, from whom the wide effulgence of light, enjoyed by all among us who do not willfully exclude it, is in a great measure withheld, has little comparatively to account for. If his mind is piously turned—if the leading outlines of the doctrines revealed in the word of life have been distinctly traced upon it,—devout, though unregulated feeling, will prompt him, in the visions of the night, when deep sleep falleth upon men, to attribute the glimpses of felicity, or visions of terror that visit his slumbers, to some operation of the all-controlling power which he awfully acknowledges in every good that is bestowed, and in every evil that is permitted—whose breath he feels propitius in the genial gale, and whose voice he hears terrible in the passing thunder.

In this progressive state, when knowledge begins to dawn upon the awakening mind, the cherished delusions that shew a glow of light across the gloom of ignorance are not soon or willingly relinquished: when the clouds begin to open, and the prospect of that future far which the soul feels an instinctive longing to clear up, still the light vibrates

vibrates to the wonted tones, still hears the mystic sounds, and sees the misty forms, that first inspired the holy horror that shudders on the confines of the world unseen.

"All the native sensibilities of the heart keenly alive, without a forming hand to give them the proper direction, answer to the undefined breathings that thus call forth its impulses; as the Arabian harp does to the passing breeze. From such slight and varying touches, no regular harmony can result; yet who but feels their thrilling influence?"

"To the pure, all things are pure. To well-intentioned ignorance, the humble trust; that voices are permitted to warn, and visions to cheer them in the hour of approaching calamity, can scarce be supposed more than a pardonable presumption, if we reason from analogy."

"Now the times of this ignorance God winked at. He, whose tender mercies are above all his other works, may be presumed to cast an eye of compassion on creatures disposed to feel after him; if haply they may find him; though, like the prophet Elijah, they should listen for him in the mighty wind, and look for him in the earthquake, and in the fire, before the small still voice is heard, which speaks peace to their hearts."

"Instead of regarding with illiberal and unchristian disdain those who were ever vigilant, with prayer and ejaculations, after their own manner, to repel evil spirits, and constantly trembled lest by presumption they should offend Omnipotence, it becomes us to think what it was who said, in the infancy of the revelation of his will, 'He that is against us, is for us.'"

"The cords of love by which unenlightened souls are drawn towards

the Father of their spirits are to us 'invisible, or dimly seen;' but of their existence and operation there is no room to doubt. Much is granted to us that was withheld from those who were but in the noviciate of instruction: and how can we be certain that the fatherly compassion that watches over all, did not indulge them with some privileges withheld from us?"

"When the day-star arose with healing in his wings, the lights of prophecy were all extinguished among the chosen people; and even among worshipped idols,"

*The oracles were dumb;  
No voice or hidden hum;  
Ran through the arched roof, with words  
deceiving.*

"We have no encouragement to attempt to be wise beyond what is written: nor have we any warrant to set limits to that wonder-working power which confounds the wisdom of the wise, by using the most unlikely means to bring about the ends he has appointed, and fulfil his gracious purposes."

"But without undervaluing any of the high privileges we enjoy, or the numberless discoveries by which life has been enriched and adorned; our comforts multiplied; our taste at once refined and gratified, and our views extended; we may revere the equal dealing of that bounteous hand, that allots to every state peculiar privileges and enjoyments adapted to it."

"We are not entitled by all our varied acquisitions to despise that state in which the finest emotions of the heart, and the most vigorous and vivid paintings of the fancy were felt and understood, and where generous sentiments, and regulated affections so improved the moral sense, that shame was punishment, and

praise



praise reward. Their gratifications, like their knowledge, lay within narrower bounds; but from their solitude occurrence had a more poignant relish. Their dangers, their stratagems, precautions, and exigencies, while they exercised invention, and sharpened sagacity, presented the monotony of life, which is the disease of high civilization, that disease for which so many vain fantastical remedies are sought, while change of place, the grand remedy, proves often only change of pain.

"The very terror of visionary forms, and unearthly voices, had to them something soothing and elevating. It spoke to them audibly of an hereafter; and while it kept alive their sorrow for the departed, kept also awake those attachments, which meliorate and dignify the character capable of forming them.

"Their devotional feelings were so habitually blended with these airy imaginations, and in some instances prompted by them, that on all occasions faith appeared to them the great anchor of the soul, because it was only in their opinion, the most unlimited confidence in the Divine protection, that could evade the power of permitted agents of evil, or support their souls under the secret horrors which the dread of their visitations produced.

"'To the upright, light shall arise in darkness;' and to the sincere and well-intentioned, light is shown in a manner of which we can have no comprehension; in various instances of which we can only judge by the effects. It is a soothing reflection, considering how very few enjoy all the invaluable advantages of high mental culture, and deep and clear views on subjects the most important to a human being, that others less favoured, are not forsaken of mercy, nor entirely wretched.

"It must be very pleasing to a benevolent, and very satisfactory to a pious mind, to find, that the outward path that leads to mental improvement and high civilization, is not entirely dark and cheerless.

"We regard with pleasure the sports of infancy, because they belong to that interesting age. We know that the house built of twigs and sticks at the side of the brook, will not afford warmth or shelter; and we should despise the grown person who should so employ himself. Yet the very operation which in an adult, would seem a proof of hopeless imbecility, we should consider as an indication of ingenious activity in a child.

"As I observed before, all nations have their childhood; and till they arrive at the stage of adolescence, that blended effort of the affections and the imagination, which pursues the shades of the departed; or like a prisoned bird, beats with restless impatience the boundaries that confine it, and struggles with instinctive ardour for liberty to range the wilds of space; that blind eagerness to know more of the future and invisible, which surrenders up the powerful and ardent mind, to so many weak illusions in the state under consideration—is no more the subject of contemptuous ridicule, than these imitative sports of our children, from which we draw a pleasing presage of their future capacity. They have not strength or intelligence to work, yet we should be sorry to see them in a torpid and inactive state. We think the benefit they derive from mental and corporeal exercise, a full compensation for some of those errors in opinion, and some of those mischances in action which may be easily repaired, and produce no lasting effects; though parental affection renders it necessary

necessary for an increase of obstinate continuance in error, or determined disobedience to a known command; to inflict correction where it may be required.

"In the progressive state to which I allude, imagination becomes in many instances the predominant faculty. This, while it must needs be productive of many delusions, is a spring of energy, perhaps required in a state, where profound reflection, and deep disquisition could be of little use. The tree must blossom before it can produce fruit; and an abundance of blossom is a happy prognostic of its fertility.

"The sports of imagination in this stage of progression, are the recreations of the intellect, that exercise its powers and indicate its approach towards maturity.

"One of the most pleasing speculations in which the unhardened and unsophisticated mind can indulge, is that of tracing the beautiful and wise disposition of things, by which, in every state where intelligence is excited, and moral order in any measure preserved, there is a degree of happiness, at least enjoyment, commensurate to the portion of knowledge acquired, or of mild affections cultivated. This is as equal to the filling up of their capacities for enjoyment, as all that science and refinement can afford for ours. I speak of them in their relative state, compared with other sentient beings; further, we are not warranted to explore.

"We have many sources not of knowledge only, but of refined enjoyment open to us, that are withheld not only from many other nations, but from by far the greatest number of individuals among ourselves. Doubtless, many of these individuals, and even some of these nations benefit in some measure by

our discoveries and attainments; and it is equally certain, that now, when we have been enabled to create and supply so many new wants, we should be very miserable, should these tastes and appetites continue, and the means of their gratification be withheld; yet, the prevailing habit of considering all who are not arrived at a high state of culture, as wretched outcasts from the Divine favour, without intelligence or the capacity for enjoyment, will not, upon examination, be found very wise, or very pious.

"He who manages a war-horse with grace and agility, is not often found to lament or despise his fate; nor is self, at the period when he bestrode a steed with equal self-complacency, and indeed rapturously delight. The gallant admiral, who sways the subject seas, and carves the British thunder further than imagination once dared to wander, still loves, when reposing beneath his laurels, to recollect the little imitative model which he longed to launch in his father's pond, and which first waked in his mind the phantom of naval glory.

"Why then should we collectively despise, and endeavour to downgrade, what individually we look back upon with a kind of tender complacency? The reason is obvious: the individual feels kindness for his former self, and has a distinct recollection of the delights which the unpractised mind finds in objects which higher intelligence regards with contempt or indifference.

"We can have no collective recollection—we are with illiberal disdain the deficiency of those who are far short of us in the progress of improvement; but we do not, cannot feel the peculiar enjoyments of such a state—the alleviations and compensations allotted to them, any more

more than we can feel the transport of a child at finding a bird's nest, or springing for the first time over a brook which had been the wretched boundary of his excursions.

Man is made to mourn; but he is also made to find consolation. He is made to suffer; but he is also made to enjoy.

In every stage, and to every mode of existence, something is given to make that existence tolerable, and to a certain degree, desirable. Apathy, the most suitable allotment for his condition, is given to the roaming savage, sunk nearly to brutishness. The more advanced find delight in the exertions by which they procure their necessities, as well as in the ingenuities by which their ornaments, and a few comforts, are supplied.

That the chase, in which so much of their lives are passed, affords very high enjoyment to minds of a certain cast, is obvious, from the gusto with which monarchs and nobles, who do not require to kill that they may eat, and to whom every source of refined pleasure is open, return to this primitive amusement.

To those who are blessed a social and intelligent people, who have sufficient agriculture to fit them to a home with all its endearing localities, and sufficient range of grazing to afford them much of the variety and leisure which belong to the pastoral state, who have strength remaining of the chase to preserve the vigour, dexterity, and independence of the savage life, who, added to all this, feel the deep consequences of immortality, the horror of secret guilt, and the excited power of imagination, derived from primitive superstition, and the shadow of better things to come, as to such beings, I say, life is a river that stagnates in a pool, that exasperates to blank, which the pride of science is apt to suppose it. The dew of heaven falls as softly, and the rising sun shines as sweetly, on the budding branches of intellect, as on the bending under the richest fruits of improvement. The last, no doubt, are more to be valued; but the contemplation of these is not less pleasing to the grateful and intelligent soul, willing to trace and acknowledge the divine beneficence through every stage of progressive existence.

### ON SELF-EXAMINATION.

[FROM MRS. MOORE'S PRACTICAL PIETY.]

"IN this age of general inquiry, every kind of ignorance is esteemed dishonourable. In almost every sort of knowledge there is a competition for superiority. Intellectual attainments are never to be

undervalued. Learning is the best human thing. All knowledge is collected as far it goes, and as long as it lasts. But how short is the period before tongues shall cease, and knowledge shall vanish away!

Shall

It shall we then censure it dishonourable to be ignorant so long of a thing which relates to life and to our reason, to taste and science, and not feel ashamed to live in ignorance of our own hearts?

To have a flourishing estate and a mind in disorder; to keep exact accounts with a steward, and so reckoning with our Maker, to have an accurate knowledge of loss or gain in our business, and to remain utterly ignorant whether our spiritual concerns are improving or declining; to be cautious in ascertaining at the end of every year how much we have increased or diminished our fortune, and to be careless whether we have increased profit or loss in faith and holiness, is making a wretched estimate of the comparative value of things. To bestow our attention on objects in direct opposition to their importance, is surely no proof that our learning has improved our judgment.

“That deep thinker and subtle reasoner, Dr. Barrow, has remarked, that it is a peculiar excellency of human nature, and which distinguishes man from the inferior creatures, more than bare reason itself, that he can reflect upon all that is done within him, can discern the tendencies of his soul, and is acquainted with his own purposes.”

“This distinguishing faculty of self-inspection would not have been conferred on man, if it had not been intended that it should be in habitual operation. It is surely, as we before observed, as much a common law of prudence to look well to our spiritual as to our worldly possessions. We have appetites to control, imaginations to restrain, tempers to regulate, passions to subdue, and how can this internal work be effected, how can our thoughts be kept

within their bounds, how can a proper bias be given to the affections, how can the little state of things be governed from continual vibration, how can this restraining power be maintained, if this capacity of discerning, if this faculty of inspecting be not kept in regular exercise? Without constant discipline, imagination will become an outlaw, conscience an attained rebel.”

“This inward eye, this power of self-inspection is given us for a continual watch upon the soul. On our unrelaxed vigilance over its interior motions, those fruitful seeds of action; those prolific principles of virtue and virtue, will depend both the formation and the growth of our moral and religious characters. A superficial glance is not enough for a thing so deep, an unsaidy view will not suffice for a thing so wavering, nor a casual look for a thing so deceitful as the human heart. A partial inspection on any one object will not be enough for an object which must be observed under a variety of aspects, because it is always shifting its position, always changing its appearances.”

“We should examine not only our conduct but our opinions; not only our faults but our prejudices, not only our propensities but our judgments. Our actions themselves will be obvious enough; it is our intentions which require the scrutiny. These we should follow up to their remotest springs, scrutinize to their deepest recesses, trace through their most perplexing windings. And lest we should, in our pursuit, wander in uncertainty and blindness, let us make use of that guiding clue which the Almighty has furnished by his word, and by his spirit, for conducting us through the mazes of this labyrinth. What I know

not

not teach thou me, should be our constant portion in all our researches.

Did we turn our thoughts inward, it would abate much of the self-complacency with which we swallow the flattery of others: Flattery hurts not him who flatters not himself. If we examined our motives keenly, we should frequently blush at the praises our actions receive. Let us then conscientiously inquire not only what we do, but whence and why we do it, from what motive and to what end.

Self-inspection is the only means to preserve us from self-conceit. We could not surely so very extravagantly value a being whom we ourselves should not only see, but feel to be not free of faults. Self-acquaintance will give us a far more deep and intimate knowledge of our own errors than we can possibly have, with all the inquisitiveness of an idle curiosity, of the errors of others. We are eager enough to blame them without knowing their motives: We are no less eager to vindicate ourselves, though we cannot be entirely ignorant of our own. Thus two virtues will be acquired by the same art, humility and candour; an impartial review of our own infirmities being the likeliest way to make us tender and compassionate to those of others.

Nor shall we be so liable to over-rate our own judgment when we perceive that it often forms such false estimates, is so captivated with trifles, so elated with petty successes, so dejected with little disappointments. When we hear others commend our charity which we know is so cold; when others extol our piety which we feel to be so dead; when they applaud the energies of our faith, which we must know to

be so faint and feeble; we cannot possibly be so intoxicated with the applauses which never would have been given had the applauder known us as we know, or ought to know ourselves. If we contradict him, it may be only to draw on ourselves the imputation of a fresh virtue, humility, which perhaps we as little deserve to have ascribed to us as that which we have been renouncing. If we keep a sharp look out, we should not be proud of praises which cannot apply to us; but should rather grieve at the involuntary fraud of imposing on others, by tacitly accepting a character to which we have so little real pretension. To be delighted at finding that people think so much better of us than we are conscious of deserving, is in effect to rejoice in the success of our own deceit.

We shall also become more patient, more forbearing and forgiving, shall better endure the harsh judgment of others respecting us, when we perceive that their opinion of us nearly coincides with our own real though unacknowledged sentiments. There is much less injury incurred by others thinking too ill of us, than in our thinking too well of ourselves.

It is evident then, that to live at random, is not the life of a rational, much less of an immortal, least of all of an accountable being. To pray occasionally, without a deliberate course of prayer; to be generous without proportioning our means to our expenditure; to be liberal without a plan, and charitable without a principle; to let the mind float on the current of public opinion, lie at the mercy of events for the probable occurrence of which we have made no provision; to be every hour liable to death without any habitual

bitual preparation for it; to carry within us a principle which we believe will exist through all the countless ages of eternity, and yet to make little inquiry whether that eternity is likely to be happy or miserable—all this is an inconsiderateness which, if adopted in the ordinary concerns of life, would bid fair to ruin a man's reputation for common sense; yet of this infatuation he who lives without self-examination is absolutely guilty.

"Nothing more plainly shows us what weak vacillating creatures we are, than the difficulty we find in fixing ourselves down to the very self-scrutiny we had deliberately resolved on. Like the worthless Roman Emperor we retire to our closet under the appearance of serious occupation, but might now and then be surprised, if not in catching flies, yet in pursuits nearly as contemptible. Some trifle which we should be ashamed to dwell upon at any time, intrudes itself on the moments dedicated to serious thought; recollection is interrupted; the whole chain of reflection is broken, so that the scattered links cannot again be united. And so inconsistent are we that we are sometimes not sorry to have a plausible pretence for interrupting the very employment in which we had just before made it a duty to engage. For want of this home acquaintance, we remain in utter ignorance of our inability to meet even the ordinary trials of life with cheerfulness; indeed by this neglect we confirm that inability.

"Nursed in the lap of luxury, we have perhaps an indefinite notion that we have but a loose hold on the things of this world, and of the world itself.—But let some accident take away, not the world, but some

trifle, on which we thought we set no value while we possessed it, and we find to our astonishment that we hold, not the world only, but even this trivial possession with a pretty tight grasp. Such detections of our self-ignorance, if they do not serve to wean, ought at least to humble us.

"There is a spurious sort of self-examination which does not strive to enlighten but to blind. A person who has left off some notorious vice, who has softened some shades of a glaring sin, or substituted some outward forms in the place of open irreligion, looks on his change of character with pleasure. He compares himself with what he was, and views the alteration with self-complacency. He deceives himself by taking his standard from his former conduct, or from the character of still worse men, instead of taking it from the unerring rule of scripture. He looks rather at the discredit than the sinfulness of his former life, and being more ashamed of what is disreputable than grieved at what is vicious, he is, in this state of shallow reformation, more in danger in proportion as he is more in credit. He is not aware that it is not having a fault or two less will carry him to heaven, while his heart is still glued to the world and estranged from God.

"If we ever look into our hearts at all, we are naturally most inclined to it when we think we have been acting right. Here inspection signifies self-love. We have no great difficulty in directing our attention to an object when that object presents us with pleasing images. But it is a painful effort to compel the mind to turn in on itself, when the view only presents subjects for regret and remorse. This painful duty

duty, however arduous, performed, and will be more salutary in proportion than work is less pleasant. — Let us establish it into a habit to ruminate on our faults. With the recollectedness of an evening we need not feel our vanity. They will, if their vanity does not obliterate them, be recorded elsewhere.

We are also most disposed to look at those parts of our character which will best show it; and which consequently tend to hold it; at those parts which afford most self-gratification. If a covetous man, for instance, examines himself, instead of turning his attention to the peccant part, he applies the probe where he knows it will not go very deep; he turns from his avarice to that solace of which his very avarice is perhaps the source. Another, who is the slave of passion, fondly rests upon some sort of generosity, which he considers as a fair commutation for some favourite vice, that would cost him more to renounce than he is willing to part with. We are all too much disposed to dwell on that smiling side of the prospect which pleases and deceives us; and to shut our eyes upon that part which we do not choose to see, because we are resolved not to quit. Self-love always holds a screen between the superficial self-examiner and his faults; as the nominal Christian wraps himself up in forms which he makes himself believe are religion; how exalts in what he does, overlooks what he ought to do; and expects that what is done at all can be done amiss.

As we are so fond of that we seldom examine a truth on more than one side, so we generally take care that it shall be that side which shall confirm some old prejudices. While we will not take pains to

correct those prejudices and to rectify our judgment, lest it should oblige us to discard a favourite opinion, we are very ready to judge, and as forward to decide, as if we were fully possessed of the grounds on which a sound judgment may be made, and a just decision formed.

We should watch ourselves whether we observe a simple rule of truth and justice, as well in our conversation, as in our ordinary transactions; whether we are exact in our measures of commendation and censure; whether we do not bestow extravagant praise where simple approbation alone is due; whether we do not withhold commendation where, if given, it would support modesty and encourage merit; whether what deserves only a slight censure as imprudent, we do not reprobate as immoral; whether we do not sometimes affect to overrate ordinary merit, in the hope of securing to ourselves the reputation of candour, that we may on other occasions, with less suspicion, depreciate established excellence. We extol the first because we fancy that it can come into no competition with us, and we derogate from the last because it obviously surpasses us.

Let us ask ourselves if we are conscientiously upright in our estimation of benefits; whether when we have a favour to ask we do not depreciate its value, when we have one to grant we do not depreciate it.

It is only by scrutinizing the heart that we can know it. It is only by knowing the heart that we can reform the life. Any careful observer, indeed, when his watch goes wrong, may see that it does so by casting an eye on the dial plate;

but

but it is only the artist who takes it to pieces and examines every spring and every wheel separately, who, by ascertaining the precise causes of the irregularity, can set the machine right, and restore the obstructed movements.

The illusions of intellectual vision would be materially corrected by a close habit of cultivating an acquaintance with our hearts. We fill much too large a space in our own imaginations; we fancy we take up more room in the world than Providence assigns to an individual who has to divide his allotment with so many millions, who are all of equal importance in their own eyes; and who, like us, are elbowing others to make room for themselves. Just as in the natural world, where every particle of matter would stretch itself and move out of its place, if it were not kept in order by surrounding particles: the pressure of other parts reduces this to remain in a confinement from which it would escape, if it were not thus pressed and acted upon on all sides. The conscientious practice we have been recommending, would greatly assist in reducing us to our proper dimensions, and in limiting us to our proper place. We should be astonished if we could see our real diminutiveness, and the speck we actually occupy. When shall we learn from our own feelings of how much consequence every man is to himself?

Nor must the examination be occasional but regular. Let us not run into long arrears, but settle our accounts frequently. Little articles will run up to a large amount, if they are not cleared off. Even our innocent days, as we may chuse to call them, will not have passed without furnishing their contingent.

Our deadness in devotion—our eagerness for human applause—our care to conceal our faults rather than to correct them—our negligent performance of some relative duty—our impudence in conversation, especially at table—our inconsideration—our driving to the very edge of permitted indulgence—let us keep these—let us keep all our numerous items in small sums. Let us examine them while the particulars are fresh in our memory, otherwise, however we may flatter ourselves that lesser evils will be swallowed up by the greater, we may find when we come to settle the grand account that they will not be the less remembered for not having been recorded.

And let it be one subject of our frequent inquiry, whether since we last scrutinized our hearts, our secular affairs, or our eternal concerns, have had the predominance there. We do not mean which of them has occupied most of our time, the larger portion of which must, necessarily, to the generality, be absorbed in the cares of the present life; but on which our affections have been most bent; and especially how we have conducted ourselves when there has arisen a competition between the interests of both.

That general burst of sin which so frequently rushes in on the consciences of the dying, would be much moderated by previous habitual self-examination. It will not do to repent in the lamp. The sorrow must be as circumstantial as the sin. Indefinite repentance is no repentance. And it is one grand use of self-inquiry, to remind us that all unforseen sins are unrepented sins.

To a Christian there is this substantial comfort attending a mik-  
nute



ante self-examination, that when he finds fewer sins to be noted, and more victories over temptation obtained, he has a solid evidence of his advancement, which well repays his trouble.

"The faithful searcher into his own heart, that 'chamber of imagery,' feels himself in the situation of the prophet (Ezekiel,) who being conducted in vision from one idol to another, the spirit, at sight of each, repeatedly exclaims, 'here is another abomination!' The prophet being commanded to dig deeper, the further he penetrated the more evils he found, while the spirit continued to cry out, 'I will shew thee yet more abominations.'

"Self-examination by detecting self-love, self-denial by weakening its powers, self-government by reducing its despotism, turns the temper of the soul from its natural bias, controls the disorderly appetite, and, under the influence of divine grace, in a good measure restores to the man that dominion over himself, which God at first gave him over the inferior creatures. Desires, passions, and appetites are brought to move somewhat more in their appointed order, subjects not tyrants. What the Stoics vainly pretended to; Christianity effects. It restores man to a dominion over his own will, and in a good measure enthrones him in that empire which he had forfeited by sin.

"He now begins to survey his interior, the awful world within; not indeed with self-complacency, but with the control of a sovereign, he still finds too much rebellion to indulge security, he therefore continues his inspection with vigilance, but without perturbation. He continues to experience a remainder of

insubordination, and disorder, but this rather solicits to a stricter government than drives him to relax his discipline.

"This self-inspection somewhat resembles the correction of a literary performance. After many and careful revisals, though some grosser faults may be done away; though the errors are neither quite so numerous, nor so glaring as at first, yet the critic perpetually perceives faults which he had not perceived before; negligences appear which he had overlooked, and even defects start up which had passed on him for beauties. He finds much to amend, and even to expunge, in what he had before admired. When by rigorous castigation the most acknowledged faults are corrected, his critical acumen, improved by exercise, and a more habitual acquaintance with his subject, still detects and will for ever detect new imperfections. But he neither throws aside his work, nor remits his criticism, which, if it do not make the work perfect, will at least make the author humble. Conscious that it is not quite so bad as it was, it is still at an immeasurable distance from the required excellence.

"Is it not astonishing that we should go on repeating periodically, 'Try me, O God,' while we are yet neglecting to try ourselves? Is there not something more like defiance than devotion to invite the inspection of Omniscience to that heart which we ourselves neglect to inspect? How can a Christian solemnly cry out to the Almighty, 'seek the ground of my heart, prove me and examine my thoughts, and see if there be any way of wickedness in me,' while he himself neglects to 'examine his heart,' is afraid of 'proving his thoughts,' and

and dreads to inquire, if there 'be any way of wickedness' in himself, knowing that the inquiry ought to lead to the expulsion.

"In our self-inquisition let us fortify our virtue by a rigorous exactness in calling things by their proper names. Self-love is particularly ingenious in inventing disguises of this kind. Let us lay them open, strip them bare, face them, and give them as little quarter as if they were the faults of another. Let us not call wounded pride delicacy. Self-love is made up of soft and sickly sensibilities. Not that sensibility which melts at the sorrows of others, but that which cannot endure the least suffering itself. It is alive in every pore where self is concerned. A touch is a wound. It is careless in inflicting pain, but exquisitely awake in feeling it. It defends itself before it is attacked, revenges affronts before they are offered, and resents as an insult the very suspicion of an imperfection.

"In order then to unmask our hearts, let us not be contented to examine our vices, let us examine our virtues also, 'those smaller faults.' Let us scrutinize to the bottom those qualities and actions which have more particularly obtained public estimation. Let us inquire if they were genuine in the principle, simple in the intention, honest in the prosecution. Let us ask ourselves if in some admired instances our generosity had no tincture of vanity, our charity no taint of ostentation? Whether, when we did such a right action which brought us credit, we should have persisted in doing it had we foreseen that it would incur censure? Do we never deceive ourselves by mistaking a constitutional indifference of tem-

per for Christian moderation? Do we never construe our love of ease into deadness to the world? Our animal activity into Christian zeal? Do we never mistake our obstinacy for firmness, our pride for fortitude, our selfishness for feeling, our love of controversy for the love of God, our indolence of temper for superiority to human applause? When we have stripped our good qualities bare; when we have made all due deductions for natural temper, easiness of disposition, self-interest, desire of admiration, when we have pared away every extrinsic appendage, every illegitimate motive, let us fairly cast up the account, and we shall be mortified to see how little there will remain. Pride may impose itself upon us even in the shape of repentance. The humble Christian is grieved at his faults, the proud man is angry at them. He is indignant when he discovers he has done wrong, not so much because his sin offends God, as because it has let him see that he is not quite so good as he had tried to make himself believe.

"It is therefore more necessary to excite us to the humbling of our pride than to the performance of certain good actions; the former is more difficult as it is less pleasant. That very pride will of itself stimulate to the performance of many things that are laudable. These performances will reproduce pride as they were produced by it: whereas humility has no outward stimulus. Divine grace alone produces it. It is so far from being actuated by the love of fame, that it is not humility, till it has laid the desire of fame in the dust.

"If an actual virtue consists, as we have frequently had occasion

to observe, in the dominion over the contrary vice, humility is the conquest over pride, charity over selfishness, not only a victory over the natural temper, but a substitution of the opposite quality. This proves that all virtue is founded in self-denial, self-denial in self-knowledge, and self-knowledge in self-examination. Pride so insinuates itself in all we do, and say, and think, that our apparent humility has not seldom its origin in pride. That very impatience which we feel at the perception of our faults is produced by the astonishment at finding that we are not perfect. This sense of our sins should make us humble but not desperate. It should teach us to distrust every thing in ourselves, and to hope for every thing from God. The more we lay open the wounds which sin has made, the more earnestly shall we seek the remedy which Christianity has provided.

“But instead of seeking for self-knowledge, we are glancing about us for grounds of self-exaltation. We almost resemble the Pharisee who with so much self-complacency delivered in the catalogue of his own virtues and other men's sins, and, like the Tartars, who think they possess the qualities of those they murder, fancied that the sins of which he accused the Publican would swell the amount of his own good deeds. Like him we take a few items from memory, and a few more from imagination. Instead of pulling down the edifice which pride has raised, we are looking round on our good works for buttresses to prop it up. We excuse ourselves from the imputation of many faults by alleging that they are common, and by no means peculiar to ourselves. This is one of

the weakest of our deceits. Faults are not less personally ours because others commit them. Is it any diminution of our error that others are guilty of the same?

“Self-love, being a very industrious principle, has generally two concerns in hand at the same time. It is as busy in concealing our own defects as in detecting those of others, especially those of the wise and good. We might indeed direct its activity in the latter instance to our own advantage, for if the faults of good men are injurious to themselves, they might be rendered profitable to us, if we were careful to convert them to their true use. But instead of turning them into a means of promoting our own watchfulness, we employ them mischievously in two ways. We lessen our respect for pious characters when we see the infirmities which are blended with their fine qualities, and we turn their failings into a justification of our own, which are not like theirs overshadowed with virtues. To admire the excellences of others without imitating them is fruitless admiration, to condemn their errors without avoiding them is unprofitable censoriousness.

“When we are compelled by our conscience, to acknowledge and regret any fault we have recently committed, this fault so presses upon our recollection, that we seem to forget that we have any other. This single error fills our mind, and we look at it as through a telescope, which, while it clearly shows the object, confines the sight to that one object exclusively. Others indeed are more effectually shut out, than if we were not examining this. Thus while the object in question is magnified,

magnified, the others are as if they did not exist.

"It seems to be established into a kind of system not to profit by any thing without us, and not to cultivate an acquaintance with any thing within us. Though we are perpetually remarking on the defects of others, yet when does the remark lead us to study and to root out the same defects in our own hearts? We are almost every day hearing of the death of others, but does it induce us to reflect on death as a thing in which we have an individual concern? We consider the death of a friend as a loss, but seldom apply it as a warning. The death of others we lament, the faults of others we censure, but how seldom do we make use of the one for our own amendment, or of the other for our own preparation.

"It is the fashion of the times to try experiments in the arts, in agriculture, in philosophy. In every science the diligent professor is always afraid there may be some secret which he has not yet attained, some occult principle which would reward the labour of discovery, something even which the assiduous and intelligent have actually found out, but which has hitherto eluded his pursuit. And shall the Christian stop short in his scrutiny, shall he not examine and inquire till he lays hold on the very heart and core of religion?

Why should experimental philosophy be the prevailing study, and experimental religion be branded as the badge of enthusiasm, the cant of a hollow profession? Shall we never labour to establish the distinction between appearance and reality, between studying religion critically and embracing it prac-

tically? between having our conduct creditable and our heart sanctified? Shall we not aspire to do the best things from the highest motives, and elevate our aims with our attainments? Why should we remain in the vestibule when the sanctuary is open? Why should we be contented to dwell in the outer courts when we are invited to enter into the holiest by the blood of Jesus?

"Natural reason is not likely to furnish arguments sufficiently cogent, nor motives sufficiently powerful, to drive us to a close self-inspection. Our corruptions foster this ignorance. To this they owe their undisputed possession of our hearts. No principle short of Christianity is strong enough to impel us to a study so disagreeable as that of our faults. Of Christianity, humility is the prime grace, and this grace can never take root and flourish in a heart that lives in ignorance of itself. If we do not know the greatness and extent of our sins, if we do not know the imperfection of our virtues, the fallibility of our best resolutions, the infirmity of our purest purposes, we cannot be humble; if we are not humble we cannot be Christian.

"But it may be asked, is there to be no end to this vigilance? Is there no assigned period when this self-denial may become unnecessary? No given point when we may be emancipated from this vexatious self-inspection? Is the matured Christian to be a slave to the same drudgery as the novice? The true answer is—we may cease to watch, when our spiritual enemy ceases to assail. We may be off our guard when there is no longer any temptation without. We may

cease our self-denial when there is no more corruption within. We may give the reins to our imagination when we are sure its tendencies will be towards heaven. We may dismiss repentance when sin is abolished. We may indulge selfishness when we can do it without danger to our souls. We may

neglect prayer when we no longer need the favour of God. We may cease to praise him when he ceases to be gracious to us.---To discontinue our vigilance at any period short of this will be to defeat all the virtues we have practised on earth, to put to hazard all our hopes of happiness in heaven."

# ARTS, SCIENCES, AND NATURAL HISTORY.

## ON THE COMPOSITION OF WRITING INK.

[FROM A REPORT BY MESSRS. BERTHOLLET, VAUQUELIN, AND DEYEUX,  
DRAWN UP FROM A MEMOIR BY M. TARRY.]

"THE object proposed by M. Tarry in his memoir is to explain:

"1. The processes employed for discharging writing from paper.

"2. The processes for reviving writings, which have been apparently obliterated.

"3. The best way to improve common ink.

"4. Finally, the discovery of an ink which should resist all chemical agents.

"We shall now give an abridgment of these four articles.

### ARTICLE I.

"*Processes for discharging Writing.*—The art of discharging writing is very ancient, and the means employed are very simple. In fact, we know that it is sufficient to moisten a written paper with any acid, when the writing will gradually disappear. But all the acids cannot be employed with equal success. Some leave a stain on the paper, which is not easily removed; others corrode and render the paper unserviceable. The way to avoid these inconveniences is to make choice of an acid which shall act on the writing only, without in-

juring the paper, or giving it a colour different from that which it had before it was written upon.

"In order to discover such of the acids as are best suited for the operation in question, the author determined to submit common writing ink to the action of different acids, and to observe carefully the phenomena which these bodies present at the time of their mixture. According to him, the sulphuric acid easily takes out writing, but at the same time it gives an oily tint to the paper.

"The acid oxalate of potash produces more certain and more prompt effects. The oxygenized muriatic acid, if it be newly made, seems to be preferable to the above two acids, because at the same time that it takes out the writing it bleaches the paper without altering it.

"It is not the same case with the nitric acid, which always takes out the ink, but soon penetrates the paper, and forms above it undulated lines of a yellow colour.

"We may succeed, however, in softening both these effects, by taking the precaution to dilute the nitric acid with a sufficient quantity of water,

water, or to wash the paper immediately after the writing has been taken out.

"A mixture of the muriatic and nitric acids has but a slow action upon writings. It bleaches the paper, and does not oppose its desiccation, as when we employ the nitric acid alone.

"In general, whatever be the kind of acid employed to discharge writing, it is always proper when the operation is performed to dip the paper in water, in order to dissolve the new combinations which the acids have formed with the particles of ink which have been discharged.

"M. Tarry, at the conclusion of this article, does not fail to observe, that China ink does not act like common ink with the acids, as its composition is quite different from that which we use for writing of all kinds. So far from the acids attacking China ink, they make it, on the contrary, of a deep black; it cannot be discharged, therefore, without erasing it.

#### ARTICLE II.

*"Processes for ascertaining what Writing has been substituted for something taken out, and Methods of reviving the Writing which has disappeared.*

"All the methods which have been given for discharging writing consist, as abovementioned, in decomposing the ink, and in forcing its constituent parts to form other combinations. These combinations, being decomposed in their turn by different agents, may regain a tint, which, if it be not that of ink, at least exhibits a shade which becomes perceptible enough for ascertaining the letters and words which have been traced on the paper before it was touched by the acids,

"The gallic acid is, according to the author, one of those agents, which in this case succeeds very well.

"The liquid prussiate of lime also produces a good effect.

"It is the same case with the alkaline hydrogenated sulphurets. But it is very certain that we never obtain any success from the employment of these agents, when we have left any acid long in contact with the writing, and particularly if we have washed the paper afterwards.

"In short, we may easily conceive, that in this case the constituent parts of the ink which were combined with the acid, and had formed with it compounds soluble in water, having been taken up by this fluid, ought not to leave any trace of their existence longer; and consequently it is impossible that the agents employed for discovering them can render them visible.

"It is also for this reason that the gallic acid, the liquid prussiate of lime, the alkaline hydrogenated sulphurets, and so many other reagents which have been so much praised, can no longer be regarded as infallible methods for reviving writing.

#### ARTICLE III.

*Improvement of Common Ink.*

"Most of the inks now in use are of a bad quality. Some are spontaneously destroyed; others imperceptibly lose their black colour, and assume a yellow one; several, after a length of time, enter into the paper, and spoil it; lastly, there are some which are first pale, and then become very black.

"All these differences arise from the nature of the substances which have been employed in the making of the ink.

"Convinced of the advantage of having a good article of this kind, the

the author commenced a series of experiments, but is forced to admit that he has not discovered any recipe superior to that which has been published by Lewis. This ink, according to our author, combines every advantage: but we must observe that it is no more exempt than the rest from being dissolved in the acids, and, in this respect it has an inconvenience which those who wish to discharge writing from paper know very well how to profit by. This circumstance, no doubt, induced M. Tarry to make some experiments in order to obtain an ink which should be inalterable by chemical agents; and he appears to us to have succeeded in his object.

ARTICLE IV.

*"Discovery of an Ink which resists the Action of chemical Agents.*

"The Author describes his invention in the following words:

"My ink is founded upon principles different from those of all others. It contains neither gall-nuts, Brazil wood, or Campeachy, gum, nor any preparation of iron: it is purely vegetable, resists the action of the most powerful vegetables, the most

highly concentrated alkaline solutions, and, finally, all the solvents.

"The nitric acid acts very feebly upon the writing performed with this ink. The oxymuriatic acid makes it assume the colour of pigeons' dung. After the action of this last acid, the caustic alkaline solutions reduce it to the colour of carburet of iron: the characters of the writing nevertheless remain without alteration, and it cannot pass through these different states except after long macerations. The principles of which it is composed render it incorruptible, and it can retain its properties many years.

"The results which we obtained, coincided entirely with those of the author, and we have no hesitation in saying, that his is the best we have ever seen of the kind which is called indelible ink. It is 'fiable,' however, to deposit a sediment, a disadvantage which we think might be removed by M. Tarry after a few more experiments. We have tried to discharge it with all the known chemical agents, but without effect; and we think the inventor deserves the thanks of the Institute, and of the community at large."

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ON THE MANUFACTURING OF THREAD OF VARIOUS KINDS FROM THE FIBRES OF THE COMMON NETTLE.

[FROM THE TRANSACTIONS OF THE SOCIETY FOR PROMOTING ARTS, &c.]

"SIR,  
I HAVE the honour to transmit to you a short memoir on that hitherto much neglected and despised vegetable the nettle, with the general useful purposes to which

the produce thereof may be applied. If you think it will merit any claim to the attention of the Society, I request you will do me the favour to lay it before them.

"My attention was first directed to



to this matter about the year 1793, but from many impediments no favourable opportunity presented itself for particular investigations till about the year 1800, since which time I have annually selected a few of the nettle plants from their various situations at different periods, in order to ascertain the state most congenial to the process, and that most suitable to the different purposes to which I thought them applicable. The result of my experiments has deeply impressed upon my mind, that they may be made subservient to national utility, particularly at the present period, when our foreign commerce is so generally impeded, and in consequence our supplies of foreign hemp and flax nearly annihilated.

"I beg leave to observe, that the growth of nettles is general, in every country, particularly in strong fertile soils, that on every bank, ditch, and place, which cannot be brought to tillage, they are produced in such abundance, that the quantity, if collected, would be of great magnitude.

"The growth of them might be encouraged in such waste places, or a vast quantity of land of that description might, at a moderate expense, be made to produce a valuable crop of a useful article, heretofore regarded as a nuisance. The shady places in woods, parks, and coppices, are particularly favourable to their growth; I have found them in such situations in the greatest perfection in point of length and fibre. The bark, or fibre of them, is very similar to that of hemp or flax, inclining to either according to the soil and different situations in which they grow. I have ascertained, as far as I have been able to proceed, that they may be substituted for every purpose for which hemp or flax is used, from cloth of the finest

texture down to the coarsest quality, such as sackcloth, sackings, &c., and for cordage.

"Another very material use, the magnitude of which, I trust, will be duly estimated, is, that they may be applied to the manufactory of paper of various qualities. The impediments to foreign commerce have lately deprived us of a supply of linen rags, and occasioned a general use of cotton rags in the paper manufactory, which is injurious to the preservation of the most valuable works in literature, to the truth of which the observation of every one must bear testimony, who has attended to the depreciated quality of writing and printing papers.

"That the produce of nettles, and the refuse of them from the manufactory, may easily be converted into writing, printing, and all inferior sorts of paper, I feel confidently assured. For the purpose of writing and printing paper they might be gathered twice in one season, as for these uses the length of staple is not required, and the fibre would be considerably increased in its fineness; and in point of colour, either in the refuse or unwrought state, the chemical process of bleaching now in practice would render them a delicate white.

"I have in possession some samples, which have gone through a succession of processes similar to what are practised on hemp and flax; and I have, without the aid of any implements, brought them to a state of preparation ready for the hackle; but for want of that, and there being no flax or hemp manufactory in this neighbourhood, I have not been able to proceed farther, but I judge that they are sufficiently advanced so as to supply to evince the practicability above referred to.

"If you think proper, I will transmit the samples for the Society's inspection, and give any further information in my power.

Permit me the honour to subscribe myself, Sir,

Your most humble servant,

EDWARD SMITH.

March 24, 1869.

"Sir,

"I am much obliged to the Society for their reference of my communication to one of their committees. About ten years subsequent to my first observations, and three to my first experiments, I observed the following paragraph in the Chelmsford Chronicle, November 25, 1863. 'The Society of Economy, at Haarlem, has offered prizes for the best memoir as to the particular species, the season for gathering, and the manipulation necessary in preparing nettles for use.' This is the only account I have ever seen of them, and shows that such a matter was regarded as deserving the attention of that Society; but as I from the first, had it in contemplation to present my observations on the subject to the Society of Arts, &c., and thinking the matter of great consequence, and wishing my own country to be benefited by it, I declined answering the Haarlem advertisement.

"My discovery of the properties of the nettle is original, and arose entirely from my own observations on the apparent resemblance to hemp and flax, which I remarked they had when growing. I now transmit to you some samples, in different states, for the Society's inspection.

"I have the honour to be with great respect,

Your most humble servant,

EDWARD SMITH.

March 29, 1869.

"Sir,

"I have now the honour to transmit to the Society my further progress, viz. A sample of yarn prepared from the coarsest part of the nettle produce, which I deem less liable to be injured for want of knowledge in the manufacturing than the finer qualities. Since my former letters I have been bleaching some of the nettle flax, and have brought it to so good a colour, that a preparation from it would produce paper perfectly white, and I have caused a sample of yarn to be made from the nettle produce, both of which I have sent.

"I likewise enclose an improved specimen of paper made from the same substance; also a preparation for paper, a part of the same sample the enclosed was made from, which is, of course, much inferior to what would be done by a paper-manufacturer. These samples have been made by such rough instruments as were constructed by my own hands, and which, of course, the Society will consider.

"I remain respectfully, Sir,

Your obliged humble servant,

EDWARD SMITH.

Nov. 18, 1869.

"The following Specimens produced from Nettles by Mr. Smith, are deposited in the Housekeeper's Office.

"Samples of the fibres, in their rough state, resembling different kinds of hemp and flax.

"Samples of the fibres equal to the finest flax, and remarkably strong in texture.

"Samples of very strong yarn prepared from the coarsest fibres.

"Samples of coarse paper, prepared from the rough refuse fibres.

"Samples of the coarse fibres bleached white.

"Samples

"Samples of a coarse substance resembling cotton prepared from the bleached coarse fibres.

"Samples of white paper prepared by him from the last mentioned substance.

"*Mr. Smith's Process for preparing various Articles from Nettles.*

"The kind of nettle capable of being manufactured into cloth, &c. it is scarcely necessary to say, is that which in general is denominated the stinging nettle. The most valuable sort, which many years practical experience has furnished me with a knowledge of, in regard to length, suppleness, fineness of the lint, brittleness of the reed, which dresses most freely, with less waste of fibre, and yields the greatest produce of long and fine strong hair, I have found is growing in the bottom of ditches among briars, and in shaded valleys, where the soil has been a blue clay, or strong loam, but from which situations I have selected some which have measured more than twelve feet in height, and upwards of two inches in circumference. Plants growing in the situations above described are in general from five to nine feet in height, and those growing in patches, on a good soil, standing thick, and in a favourable aspect, will average in height about five feet and a half, will work kindly, and the stems are thickly clothed with lint. Those that grow in poorer soils, and in less favourable situations, with rough and woody stems, and have many lateral branches, run much to seed, are stubborn, and work less kindly; they produce lint more coarse, harsh, and thin. In every situation and different soil I have experienced the most productive nettles to be those which have the smoothest and most concave tubes, the largest joints, the

fewest leaves, and which produce the least quantity of seed.

"In gathering them, as they are perennial plants, I have preferred the mode of cutting them down, instead of pulling them up by the roots. This I recommended to be the practice, with a view to obtain a second crop where the situations will allow of it, and to secure the propagation of them the subsequent year.

"The most favourable time for collecting them is from the beginning of July to the end of August, but it may be continued even to the end of October, only the lint of those which remain growing to that time will be less supple, and will not work so freely; and if the season happens to be unfavourable, it is probable there would not be sufficient time to steep and grass them, in which case they should be dried by the heat of the atmosphere, or if the state of the weather would not permit of this, then by means of artificial heat; and when dried they should be housed or stacked till the spring, when they might successfully undergo the same operation of steeping as those of the first collection. Such as grow in grass fields, where the grass is intended for hay, should be cut when the hay is cut, in order to prevent their being spoiled by the cattle when feeding; the barks of which would be fine in quality, and well suited to be wrought up with the second crop, and which crop may be obtained after those of the first cutting, where the situation will admit of their being preserved. The fine quality of such I ascertained last autumn, and found the height of them to average three feet and a half; they were gathered the latter end of November. The following are the processes adopted by me.

"After

After the nettles are gathered they should be exposed to the atmosphere till they gain some firmness, in order to prevent the skin from being damaged in the operations of dressing off the leaves, the lateral branches, and seeds. This should be done a handful at a time; and afterward they should be sorted, viz. those which are long and fine by themselves, those which are both long and coarse by themselves, and those which are short and coarse by themselves; then made up into bundles as large as can be grasped with both hands, a convenient size for putting them into the water, and taking them out; a place for this purpose being previously prepared, either a pond, or a pit free from mud, or a brook or river. The bundles should then be immersed, and placed aslant with the root end uppermost, and to prevent their floating upon the surface some weight should be laid upon them.

"The time required for steeping them is from five to eight days; but it is better they should remain rather too long in the water than too short a time, yet great care should be taken that they are not overdone. When the fibre approaches to a pulp, and will easily separate from the reed, and the reed becomes brittle and assumes a white appearance, this operation is finished.

"The bundles should then be taken out singly, very carefully, to avoid damaging the fibres, and be rinsed as they are taken out of the water to cleanse them from the filth they may have contracted; they must then be strewed very thin upon the grass, and be gently handled. When the surface of them is become sufficiently dry, and the harl has obtained a degree of firmness,

they should be turned repeatedly, till they are sufficiently grained; the time required is known only by experience, so much depends on the state of the weather during the process; when they are sufficiently done, the harl blisters, and the stems become brittle; they must then be taken up and made into bundles, and secured from the weather.

"The harl is now to be separated from the reed, after the manner practised on flax and hemp, either by manual labour or machinery now in use in those manufactories. This operation was performed in my experiments by hand; and with implements constructed by myself, but which I consider too simple here to describe.

"The harl being separated from the reed, it requires next to be beaten, that it may become more ductile for the operation of dressing, which may be performed with such implements as are used for dressing flax or hemp.

"This operation being accomplished, the produce of the nettles is arrived at a state ready for spinning, and may be spun into various qualities of yarn, either by hand, or by machinery constructed for the purposes of spinning flax or hemp; and this yarn may be successfully substituted for the manufacturing every sort of cloth, cordage, rope, &c. which is usually made from hemp or flax, and is particularly calculated for making twine for fishing-nets equal to the Dutch twine imported for that purpose, the fibres of the nettles being stronger than those of flax, and not so harsh as the fibres of hemp.

"In the course of my experiments on nettles it often occurred to me, that the refuse, and such parts as were damaged in the different processes with the undergrowth;

growth, might be applied to useful purposes, and in addition to the nettle manufactory, as applicable to the purposes for which hemp and flax are used. Another source of productive labour of great magnitude would be derived from a new substance, capable of being converted into so many beneficial uses, if my speculations should be finally accomplished. In contemplating these subjects, I was induced to believe the refuse and under-growth might be converted into paper of various sorts, according to the changes they might be made to undergo from the several operations necessary to reduce them to a proper state for this use; having frequently observed, with regret, the deterioration in the quality of writing and printing paper, occasioned by the use of cotton rags in the paper manufactory; which evinces itself even to the most superficial observer, who may only casually open many of the modern publications, and which must be admitted is of the utmost moment, as it endangers the preservation of works of literature. Being convinced of the superior strength of nettle substance, I thought, could my speculations be reduced successfully to practice, it would not only remedy this great evil, and operate as an antidote to the use of cotton rags in that part of the paper manufactory, but eventually effect a reduction in the prices of books, which for some years have been rapidly increasing, and are now become excessive, to the great obstruction of disseminating useful knowledge among mankind, and contribute to the diminution of our exports in that material branch of commerce.

"In addition to the above incentives, the consideration of the high price of paper, chiefly occasioned,

as I conclude, from the extravagant price of linen rags, and the impediments to the procuring a foreign supply of them, arising from the circumstances of the times; and seeing that the use of linen cloth is in a great measure superseded by the very general introduction of cloth manufactured from cotton, which consequently must materially diminish the supply of linen rags, and, probably, in process of time, from the increasing substitution of cotton cloth for linen, linen rags, particularly of the finer qualities, may be totally annihilated. Urged by all these considerations, which were forcibly impressed on my mind, and feeling assured of the practicability of reducing the substance of nettles to a state necessary to the production of paper, and confident in the superior strength of such paper, if it could be manufactured from a substance so substantial, I was most powerfully impelled to attempt to reduce to practice what in theory I had so warmly cherished. The attempt was arduous, not only from an entire want of knowledge of the manufactory, and of the necessary utensils, but I was destitute of any proper implement to engage in the undertaking with any probability of success; hoping however by perseverance to succeed, I proceeded, and found on my first rough trial my expectations realized.

"The most favourable condition of the lint, with a view to the paper manufactory, is to begin with it after it is hackled; in order that the fibres may be divested of the skins which enclose them, as, when it is intended to make white paper, having gone through that process, it would greatly facilitate the bleaching, and be the more easily disencumbered of the gross particles.

"When

"When I signify as my opinion, that the fibres of nettles should be dressed the same as for yarn, previous to their being prepared with a view to the making of paper, I wish not to be understood to convey the idea that the operation cannot be dispensed with; because I conceive, that, by the aid of such machinery as is in use with the paper manufacturers, or by some improvements therein, they might be brought to a pulp easily, even when the nettles are first gathered, should it, with a view to saving of labour, be deemed necessary: but the practicability of this I leave to the experience which, time may hereafter afford.

"My operation of bleaching the fibres for paper was performed on the grass, which I deem preferable to the new mode of bleaching with water impregnated with air by means of oxygenated muriatic acid gas; because the old mode of bleaching on grass weakens the strength of the fibre, leaves it more flexible, and thereby expedites the maceration, which in some degree compensates for the time it requires longer than by the chemical process. But for bleaching of yarn or cloth made of whatever substance, the chemical process, if scientifically conducted, experience has convinced me is preeminently superior, as it gives additional strength to the yarn, greater firmness to the texture of the cloth, and is an immense saving of time, labour, &c.

"After the lint is bleached it should be reduced to a proper length for paper, and then macerated in water after the manner of rags, and undergo similar processes till the substance is converted into paper, which may be easily accomplished by manufacturers, and the substance of nettles made to produce

paper of the first quality and the most substantial.

"In my process the lint was reduced by scissors to particles as minute as was practicable with such an implement; then it was macerated in cold water about ten days, and brought as much to a pulp as could be effected without the aid of grinding, &c. Being a stranger to the composition used to procure the adhesion of the particles, if any is used for this purpose, I tried several glutinous substances, none of which answered so well as a solution of gum, but I am well aware this cannot be generally used, being too expensive.

"After the pulp was impregnated with the solution, I then spread it thin on a wire frame of my own construction, which process, except drying it, with me was final. Not being possessed of the means of pressing the paper any more than grinding of the lint, and for want of the film which adheres to the lint being dressed off, I could not completely destroy the colour, so as to produce a clear white without picking out every discoloured particle, which I so well accomplished, that when I had reduced the staple in length, in this state it was perfectly free from colour; the deterioration which ensued when converted into paper was occasioned by the solution of gum.

"My processes were the fruits of my own conceptions, and I desire it may not be understood, that I presume to recommend them for practice, being conscious, that the manufacturers of paper, hemp, and flax, from analogy, are possessed of the knowledge of operations and means more consonant and infinitely superior.

"These several manufactures from

from the new substance of nettles, patronized by the stimulating approbation and recommendation of the Society of Arts, &c. I with all due deference venture to predict will rapidly increase the capital of

those individuals who engage therein, afford new employment to the poorer classes of society, and become a new source of wealth to the nation.

EDWARD SMITH.

April 28, 1810.

### ON MORTARS AND CEMENTS.

[FROM MEMOIRS OF THE NATIONAL INSTITUTE, PRESENTED BY  
M. B. G. SAGE.]

HAVING found, that an alkaline lixivial gas was evolved from a mixture of three parts of sand and two of lime slacked by immersion;—and desirous of ascertaining, whether the products of the three kingdoms, mingled in the same proportions would afford a similar gas; Mr. Sage made a number of experiments, which taught him, that the force of cohesion contracted by slacked lime was greater with metallic oxides in general, than with any other substance. These trials led him to new facts, which enabled him to discover mortars, or cements, at least as solid and impermeable as those made with the best puzzolana, which is of the greatest use, particularly in hydraulic structures.

"The work we announce points out also a prompt and easy method of ascertaining the solidity and impermeability of mortars or cements, which cannot but be highly interesting to builders.

"We must not always judge of the goodness of a cement from its having acquired a great deal of so-

lidity in the open air, for it frequently loses this in water, in which it diffuses itself. Buildings made with such mortar soon tumble to pieces.

"The necessity of a minute division of the substances, that enter into a cement, cannot be insisted on too strongly. They should first be mixed together uniformly while dry; and they must not be drowned in water, which must be added gradually, till the mixture is reduced to a soft paste.

"It is of the greatest importance to determine with precision the quantity of lime employed to obtain the most solid mortar, or cements; and in general to use no lime but what has been made from pure lime stone, and which has been kept well secured from the air after it is slacked.

"In the experiments of Mr. Sage he always employed two parts of lime to three of puzzolana, of sand, &c.; which afforded him very hard and impermeable mortar: and he thinks this proportion of lime may even be lessened, when the architect is fully convinced of

the

the impropriety of leaving the preparation of mortar to bricklayer's labourers, since the strength and solidity of hydraulic structures depend so much on it.

"The author has divided his experiments into five classes. 1. Mortars or cements made with substances that have undergone the action of fire. The ashes of vegetables, whether lixiviated or not, being mixed with two thirds of lime slacked by immersion, forms one of the most solid and impermeable cements: a property which they appear to derive from the minutely divided quartz, which these ashes contain in the proportion of one fourth.

"2. Mortars or cements made with metallic substances. Iron adds to the hardness of all mortars; and of itself, in rusting, concurs in the agglutination of gravel and pebbles, as we see on the seashore. According to the state in which the iron is, that is combined with two parts of slacked lime, its force of cohesion is more or less considerable.

"3. Mortars or cements made with stones of different natures.

Gypsum, chalcobedy, sandstone, and gravel, form very hard and impermeable mortar with lime. Feldspar, better known by the name of pozzintze, being mixed with two thirds of slacked lime, produces an impermeable and solid mortar.

"4. Mortars or cements that alter in water. Vegetable earth, or mould, is essentially composed of minutely divided quartz, clay, and iron. Mixed with two parts of slacked lime, and water enough to form a soft paste, the brick produced from it, when dried, has some solidity, which it loses under water, where it cracks:

"5. Mortars or cements made with combustible substances. Mortar, or cement, made with sulphur and two parts of slacked lime, forms a hard and very sonorous brick, which is not altered under water; while mortars made with pulverized vegetable charcoal, or pitcoal, though they produce hard and sonorous bricks, soon fall to pieces in water; as do bricks made with sawdust, or raspings of ivory."

# IMPROVED METHOD OF CULTIVATING THE ALPINE STRAWBERRY.

By THOMAS ANDREW KNIGHT, Esq. F. R. S. &c.

[FROM TRANSACTIONS OF THE HORTICULTURAL SOCIETY.]

THE Strawberry is a fruit which is agreeable to the palates of so many persons, and which disagrees with the constitutions of so few, that any means of improving the culture of it, and of prolonging the season of its maturity and perfection, will probably be acceptable to the Horticultural

Society: I am therefore induced to send an account of an improved method of cultivating the *Alpine Strawberry*, that is, I believe, little, if at all, known, and that I have practised with the best possible success.

"Though the flavour of the Alpine varieties is generally approved, they are not much thought of,



of, whilst the larger varieties continue in perfection, and are valued only as an autumnal crop. I was therefore led to try several different methods of culture, with a view to obtain plants that would just begin to blossom at the period when the other varieties cease; conceiving that such plants, not having expended either themselves or the virtue of the soil, in a previous crop of fruit, would afford the best and most abundant autumnal produce. Under this impression, I sowed the seeds of the best Alpine variety, that I had ever been able to obtain, in pots of mould, in the beginning of August, the seeds of the preceding year having been preserved to that period; and the plants these afforded were placed, in the end of March, in beds to produce fruit. This experiment succeeded tolerably well; but I was not quite satisfied with it; for though my plants produced an abundant autumnal crop of fruit, they began to blossom somewhat earlier than I wished, and before they were perfectly well

rooted in the soil. I therefore tried the experiment of sowing some seeds of the same variety, early in the spring, in pots which I placed in a hotbed of moderate strength in the beginning of April; and the plants thus raised were removed to the beds in which they were to remain in the open ground, as soon as they had acquired a sufficient size. They began to blossom soon after midsummer, and to ripen their fruit towards the end of July, affording a most abundant autumnal crop of very fine fruit; and even so late as the second week in December I have rarely seen a more abundant profusion of blossoms and immature fruit than the beds presented. The powers of life in plants, thus raised, being young and energetic, operate much more powerfully than in the humours of older plants, or even in plants raised from seeds in the preceding year, and therefore I think the *Alpine Strawberry* ought always to be treated as an annual plant."

## THE INFLUENCE OF THE BRAIN ON THE ACTION OF THE HEART.

BY MR. B. C. BRODIE, F.R.S.

[FROM THE PHILOSOPHICAL TRANSACTIONS.]

**I**N making experiments on animals to ascertain how far the influence of the brain is necessary to the action of the heart, I found that, when an animal was pithed by dividing the spinal marrow on the upper part of the neck, respiration was immediately destroyed, but the heart still continued to contract circulating dark coloured blood; and that in some instances from ten to fifteen minutes elapsed, before its action

had entirely ceased. I farther found, that, when the head was removed, the divided blood vessels being secured by a ligature, the circulation still continued, apparently unaffected by the entire separation of the brain. These experiments confirmed the observation of Mr. Cruikshank and Mr. Bichat, that the brain is not directly necessary to the action of the heart; and that, when the functions of the brain are destroyed,

the circulation ceases only in consequence of the suspension of the respiration. This led me to conclude, that, if respiration was produced artificially, the heart would continue to contract for a still longer period of time after the removal of the brain. The truth of this conclusion was ascertained by the following experiment.

*Exp. 1.* I divided the spinal marrow of a rabbit in the space between the occiput and atlas, and having made an opening into the trachea, fitted into it a tube of elastic gum, to which was connected a pair of bellows, so constructed, that the lungs might be inflated, and then allowed to empty themselves. By repeating this process once in five seconds, the lungs being each time fully inflated with fresh atmospheric air, an artificial respiration was kept up. I then secured the blood vessels in the neck, and removed the head, by cutting through the soft parts above the ligature, and separating the occiput from the atlas. The heart continued to contract, apparently with as much strength and frequency as in a living animal. I examined the blood in the different sets of vessels, and found it dark coloured in the venæ cavæ and pulmonary artery, and of the usual florid red colour in the pulmonary veins and aorta. At the end of twenty-five minutes from the time of the spinal marrow being divided, the action of the heart became fainter, and the experiment was put an end to.

With a view to promote the inquiry instituted by the society for promoting the knowledge of animal chemistry respecting the influence of the nerves on the secretions, I endeavoured to ascertain, whether they continued after the influence of the brain was removed. In the

commencement of the experiment I emptied the bladder of its contents by pressure; at the end of the experiment the bladder continued empty.

This experiment led me to conclude, that the action of the heart might be made to continue after the brain was removed, by means of artificial respiration, but that under these circumstances the secretion of urine did not take place. It appeared, however, desirable to repeat the experiment on a larger and less delicate animal; and that, in so doing, it would be right to ascertain whether, under these circumstances, the animal heat was kept up to the natural standard.

*Exp. 2.* I repeated the experiment on a middle sized dog. The temperature of the room was 63° of Fahrenheit's thermometer. By having previously secured the carotid and vertebral arteries, I was enabled to remove the head with little or no hæmorrhage. The artificial respirations were made about twenty-four times in a minute. The heart acted with regularity and strength.

At the end of thirty minutes from the time of the spinal marrow being divided, the heart was felt through the ribs contracting 76 times in a minute.

At thirty-five minutes the pulse had risen to 84 in a minute.

At one hour and thirty minutes the pulse had risen to 88 in a minute.

At the end of two hours it had fallen to 70, and at the end of two hours and a half to 33 in a minute, and the artificial respiration was no longer continued.

By means of a small thermometer with an exposed bulb, I measured the animal heat at different periods.

At the end of an hour the thermometer

monometer in the rectum, had fallen from  $100^{\circ}$  to  $94^{\circ}$ .

"At the end of two hours, a small opening being made in the parietes of the thorax, and the ball of the thermometer placed in contact with the heart, the mercury fell to  $86^{\circ}$ , and half an hour afterwards, in the same situation, it fell to  $78^{\circ}$ .

"In the beginning of the experiment I made an opening into the abdomen; and, having passed a ligature round each ureter about two inches below the kidney, brought the edges of the wound in the abdomen together by means of sutures. At the end of the experiment no urine was collected in the ureters above the ligatures.

"On examining the blood in the different vessels, it was found of a florid red colour in the arteries, and of a dark colour in the veins, as under ordinary circumstances.

"During the first hour and a half of the experiment there were constant and powerful contractions of the muscles of the trunk and extremities, so that the body of the animal was moved in a very remarkable manner, on the table on which it lay, and twice there was a copious evacuation of feces.

"*Exp. 3.* The experiment was repeated on a rabbit. The temperature of the room was  $60^{\circ}$ . The respirations were made from 30 to 35 in a minute. The actions of the heart at first were strong and frequent; but at the end of one hour and forty minutes the pulse had fallen to 24 in a minute.

"The blood in the arteries was seen of a florid red, and that in the veins of a dark colour.

"A small opening was made in the abdominal muscles, through which the thermometer was introduced into the abdomen, and allowed to remain among the viscera.

"At the end of an hour the heat in the abdomen had fallen from  $100^{\circ}$  to  $89^{\circ}$ . At the end of an hour and forty minutes in the same situation, the heat had fallen to  $85^{\circ}$ ; and, when the bulb of the thermometer was placed in the thorax, in contact with the lungs, the mercury fell to  $82^{\circ}$ .

"It has been a very generally received opinion, that the heat of warm blooded animals is dependent on the chemical changes produced on the blood by the air in respiration. In the two last experiments the animals cooled very rapidly, notwithstanding the blood appeared to undergo the usual changes in the lungs; and I was therefore induced to doubt whether the above mentioned opinion respecting the source of animal heat is correct. No positive conclusions, however, could be deduced from these experiments. If animal heat depends on the changes produced on the blood by the air in respiration, its being kept up to the natural standard, or otherwise, must depend on the quantity of air inspired, and on the quantity of blood passing through the lungs in a given space of time: in other words, it must be in proportion to the fulness and frequency of the pulse, and the fulness and frequency of the inspirations. It therefore became necessary to pay particular attention to these circumstances.

"*Exp. 4.* The experiment was repeated on a dog of a small size, whose pulse was from 120 to 140 in a minute, and whose respirations, as far as I could judge, were performed from 30 to 25 times in a minute.

"The temperature of the room was  $63^{\circ}$ . The heat in the rectum of the animal at the commencement of the experiment was  $99^{\circ}$ . The artificial inspirations were made to correspond as nearly as possible to the

the natural inspirations, both in fulness and frequency.

"At twenty minutes from the time of the dog being pithed, the heart acted 140 times in a minute, with as much strength and regularity as before: the heat in the rectum had fallen to 96°.

"At forty minutes the pulse was still 140 in a minute: the heat in the rectum 92°.

"At fifty-five minutes the pulse was 112, and the heat in the rectum 90°.

"At one hour and ten minutes the pulse beat 90 in a minute, and the heat in the rectum was 88°.

"At one hour and twenty-five minutes the pulse had sunk to 30, and the heat in the rectum was 85°. The bulb of the thermometer being placed in the bag of the pericardium, the mercury stood at 65°, but among the viscera of the abdomen it rose to 87°.

"During the experiment there were frequent and violent contractions of the voluntary muscles, and an hour after the experiment was begun there was an evacuation of faeces.

"*Exp. 5.* The experiment was repeated on a rabbit, whose respirations, as far as I could judge, were from 30 to 40 in a minute, and whose pulse varied from 130 to 140 in a minute. The temperature of the room was 57°. The heat in the rectum, at the commencement of the experiment, was 101°. The artificial respirations were made to resemble the natural respirations as much as possible, both in fulness and frequency.

"At fifteen minutes from the time of the spinal marrow being divided, the heat in the rectum had fallen to 96°.

"At the end of half an hour the heart was felt through the ribs, act-

ing strongly 110 times in a minute.

"At forty-five minutes the pulse was still 140; the heat in the rectum was 94°.

"At the end of an hour the pulse continued 140 in a minute; the heat in the rectum was 92°; among the viscera of the abdomen 94°; in the thorax, between the lungs and pericardium, 92°.

"During the experiment, the blood in the femoral artery was seen to be of a bright florid colour, and that in the femoral vein of a dark colour, as usual.

"The rabbit voided urine at the commencement of the experiment; at the end of the experiment no urine was found in the bladder.

"*Exp. 6.* I procured two rabbits of the same colour, but one of them was about one fifth smaller than the other. I divided the spinal marrow of the larger rabbit between the occiput and atlas. Having secured the vessels in the neck, and removed the head, I kept up the circulation by means of artificial respiration, as in the former experiments. The respirations were made as nearly as possible similar to natural respirations.

"In twenty-three minutes after the spinal marrow was divided, the pulse was strong, and 130 in a minute; the ball of the thermometer being placed among the viscera of the abdomen, the mercury stood at 96°.

"At thirty-four minutes the pulse was 120 in a minute; the heat in the abdomen was 95°.

"At the end of an hour the pulse could not be felt, but on opening the thorax the heart was found acting, but slowly and feebly. The heat in the abdomen was 91°; and between the lobes of the right lung 88°.

" During the experiment, the blood in the arteries and veins was seen to have its usual colour.

" In this therefore, as in the preceding experiments, the heat of the animal sunk rapidly, notwithstanding the continuance of the respiration. In order to ascertain whether any heat at all was generated by this process, I made the following comparative experiment. The temperature of the room being the same, I killed the smaller rabbit by dividing the spinal marrow between the occiput and atlas. In consequence of the difference of size, *cæteris paribus*, the heat in this rabbit ought to diminish more rapidly than in the other; and I therefore examined its temperature at the end of fifty-two minutes, considering that this would be at least equivalent to examining that of the larger rabbit at the end of an hour. At fifty-two minutes from the time of the smaller rabbit being killed, the heat among the viscera of the abdomen was 92°, and between the lobes of the right lung it was 91°. From this experiment, therefore, it appeared, not only that no heat was generated in the rabbit, in which the circulation was maintained by artificial respiration, but that it even cooled more rapidly than the dead rabbit.

" At the suggestion of Professor Davy, who took an interest in the inquiry, I repeated the foregoing experiment on two animals, taking pains to procure them more nearly of the same size and colour.

" Exp. 7. I procured two large full grown rabbits of the same colour, and so nearly equal in size, that no difference could be detected by the eye.

" The temperature of the room was 57°, and the heat in the rectum of each rabbit, previous to the experiment, was 100½°.

" I divided the spinal marrow in one of them, produced artificial respiration, and removed the head, after having secured the vessels in the neck. The artificial respirations were made about 35 times in a minute.

" During the first hour, the heart contracted 144 times in a minute.

" At the end of an hour and a quarter the pulse had fallen to 136 in a minute, and it continued the same at the end of an hour and a half. At the end of an hour and forty minutes the pulse had fallen to 90° in a minute, and the artificial respiration was not continued after this period.

" Half an hour after the spinal marrow was divided, the heat in the rectum had fallen to 97°.

" At forty-five minutes the heat was 95½°.

" At the end of an hour, the heat in the rectum was 94°.

" At an hour and a quarter it was 92°.

" At an hour and a half it was 91°.

" At an hour and forty minutes, the heat in the rectum was 90½°, and in the thorax, within the bag of the pericardium, the heat was 87½°.

" The temperature of the room being the same, the second rabbit was killed by dividing the spinal marrow, and the temperature was examined at corresponding periods.

" Half an hour after the rabbit was killed, the heat in the rectum was 99°.

" At forty-five minutes it had fallen to 98°.

" At the end of an hour, the heat in the rectum was 96½°.

" At an hour and a quarter it was 95°.

" At an hour and a half it was 94°.

" At

"At an hour and forty minutes the heat in the rectum was  $93^{\circ}$ , and in the bag of the pericardium  $90\frac{1}{2}^{\circ}$ . The comparative temperature of the two animals at corresponding periods.

"The following table will shew

Time.	Rabbit with artificial respiration.		Dead Rabbit.	
	Therm. in the Rectum.	Therm. in the Pericardium.	Therm. in the Rectum.	Therm. in the Pericardium.
Before the experiment	100 $\frac{1}{2}$		100 $\frac{1}{2}$	
30 min. aft.	97		99	
45. ....	95 $\frac{1}{2}$		98	
60. ....	94		90 $\frac{1}{2}$	
75. ....	93		95	
90. ....	91		94	
100. ....	90 $\frac{1}{2}$	87 $\frac{1}{2}$	93	90 $\frac{1}{2}$

"In this experiment, the thorax, even in the dead animal, cooled more rapidly than the abdomen. This is to be explained by the difference in the bulk of these two parts. The rabbit in which the circulation was maintained by artificial respiration cooled more rapidly than the dead rabbit: but the difference was more perceptible in the thorax than in the rectum. This is what might be expected, if the production of animal heat does not depend on respiration; since the cold air, by which the lungs were inflated, must necessarily have abstracted a certain quantity of heat, particularly as its influence was communicated to all parts of the body, in consequence of the continuance of respiration.

"It was suggested that some animal heat might have been generated, though so small in quantity as not to counterbalance the cooling powers of the air thrown into the lungs. It is difficult, or impossible, to ascertain with perfect accuracy, what effect cold air thrown into the lungs would have on the tempera-

ture of an animal under the circumstances of the last experiment, independently of any chemical action on the blood; since, if no chemical changes were produced, the circulation could not be maintained, and if the circulation ceased, the cooling properties of the air must be more confined to the thorax, and not communicated in an equal degree to the more distant parts. The following experiment, however, was instituted as likely to afford a nearer approximation to the truth, than any other that could be devised.

"Exp. 8. I procured two rabbits of the same size and colour: the temperature of the room was  $64^{\circ}$ . I killed one of them by dividing the spinal marrow, and, immediately, having made an opening into the left side of the thorax, I tied a ligature round the base of the heart, so as to stop the circulation. The wound in the skin was closed by a suture. An opening was then made into the trachea, and the apparatus for artificial respiration being fitted into it, the lungs were inflated, and then allowed to collapse as in the former

former experiment, about 36 times in a minute. This was continued for an hour and a half, and the temperature was examined at different periods. The temperature of the room being the same, I killed the

second rabbit in the same manner, and measured the temperature at corresponding periods. The comparative temperature of the two dead animals, under these circumstances, will be seen in the following table.

Time.	Dead Rabbit, whose lungs were inflated.		Dead Rabbit whose lungs were not inflated.	
	Therm. in the Rectum.	Therm. in the Thorax.	Therm. in the Rectum.	Therm. in the Thorax.
Before the experiment	100		100	
30 min. aft.	97		98	
45. ....	95½		96	
60. ....	94		94½	
75. ....	92½		93	
90. ....	91	86	91½	88½

" In this last experiment, as may be seen from the above table, the difference in the temperature of the two rabbits, at the end of an hour and a half, in the rectum, was half a degree, and in the thorax two degrees and a half; whereas, in the preceding experiment, at the end of an hour and forty minutes, the difference in the rectum was 2½ degrees, and in the thorax 3 degrees. It appears, therefore, that the rabbit in which the circulation was maintained by artificial respiration cooled more rapidly on the whole, than the rabbit whose lungs were inflated in the same manner after the circulation had ceased. This is what might be expected, if no heat was produced by the chemical action of the air on the blood; since in the last case the cold air was always applied to the same surface, but in the former it was applied always to fresh portions of blood, by which its cooling powers were communicated to the more distant parts of the body.

" In the course of the experiments which I have related, I was

much indebted to several members of the Society for promoting the Knowledge of Animal Chemistry, for many important suggestions, which have assisted me in prosecuting the inquiry. Mr. Home, at my request, was present at the seventh experiment. Dr. E. N. Bancroft was present at, and assisted me in the second experiment: and Mr. William Brande lent me his assistance in the greater part of those which were made. I have been farther assisted in making the experiments by Mr. Broughton, surgeon of the Dorsetshire regiment of militia, and Mr. Richard Rawlins, and Mr. Robert Gatcombe, students in surgery.

" I have selected the above from a great number of similar experiments, which it would be needless to detail. It is sufficient to state, that the general results were always the same; and that, whether the pulse was frequent or slow, full or small, or whether the respirations were frequent or otherwise, there was no perceptible difference in the cooling of the animal.

" From

"From the whole we may deduce the following conclusions:

"1. The influence of the brain is not directly necessary to the action of the heart.

"2. When the brain is injured or removed, the action of the heart ceases, only because respiration is under its influence, and if under these circumstances respiration is artificially produced, the circulation will still continue.

"3. When the influence of the

brain is cut off, the secretion of urine appears to cease, and no heat is generated; notwithstanding the functions of respiration and the circulation of the blood continue to be performed, and the usual changes in the appearance of the blood are produced in the lungs.

"4. When the air respired is colder than the natural temperature of the animal, the effect of respiration is not to generate, but to diminish animal heat."



## P O E T R Y.

## THE VISION OF DON RODERICK.

[By WALTER SCOTT, Esq.]

## INTRODUCTION.

## I.

LIVES there a strain, whose sounds of mounting fire  
 May rise distinguish'd o'er the din of war,  
 Or died it with yon Master of the Lyre,  
 Who sung beleagu'rd Ilion's evil star?  
 Such, WELLINGTON, might reach thee from afar,  
 Wafting its descant wide o'er Ocean's range;  
 Nor shouts, nor clashing arms, its mood could mar,  
 All as it swell'd 'twixt each loud trumpet-change,  
 That clangs to Britain victory, to Portugal revenge!

## II.

Yes! such a strain, with all o'er-powering measure,  
 Might melodize with each tumultuous sound,  
 Each voice of fear or triumph, woe or pleasure,  
 That rings Mondego's ravaged shores around;  
 The thundering cry of hosts with conquest crew'd,  
 The female shriek, the ruin'd peasants moan,  
 The shout of captives from their chains unbound,  
 The foil'd oppressor's deep and sullen groan,  
 A Nation's choral hymn for tyranny o'erthrown.

## III.

But we, weak minstrels of a laggard day,  
 Skill'd but to imitate an elder page,  
 Timid and raptureless, can we repay  
 The debt thou claim'st in this exhausted age?  
 Thou givest our lyres a theme, that might engage  
 Those that could send thy name o'er sea and land  
 While sea and land shall last; for Homer's rage  
 A theme; a theme for Milton's mighty hand—  
 How much unmet, for us, a faint degenerate band!

## IV. Ye

## IV.

Ye mountains stern ! within whose rugged breast  
 The friends of Scottish freedom found repose ;  
 Ye torrents ! whose hoarse sounds have soothed their rest,  
 Returning from the field of vanquish'd foes ;  
 Say, have ye lost each wild majestic close,  
 That erst the choir of bards or druids sung,  
 What time their hymn of victory arose,  
 And Cattraeth's glens with voice of triumph rung,  
 And mystic Merlin harp'd, and grey-hair'd Llywarch sung.

## V.

O ! if your wilds such minstrelsy retain,  
 As sure your changeful gales seem oft to say,  
 When sweeping wild and sinking soft again,  
 Like trumpet-jubilee, or harp's wild sway ;  
 If ye can echo such triumphant lay,  
 Then lend the note to him has loved you long !  
 Who pious gather'd each tradition grey,  
 That floats your solitary wastes along,  
 And with affection vain gave them new voice in song.

## VI.

For not till now, how oft so'er the task  
 Of truant verse hath lighten'd graver care,  
 From muse or sylvan was he wont to ask,  
 In phrase poetic, inspiration fair ;  
 Careless he gave his numbers to the air, —  
 They came unsought for, if applauses came ;  
 Nor for himself prefers he now the prayer ;  
 Let but his verse besit a hero's fame,  
 Immortal be the verse ! — forgot the poet's name.

## VII.

Hark, from yon misty cairn their answer tost :  
 ' Minstrel ! the fame of whose romantic lyre,  
 Capricious swelling now, may soon be lost,  
 Like the light flickering of a cottage fire ;  
 If to such task presumptuous thou aspire,  
 Seek not from us the need to warrior due :  
 Age after age has gather'd son to sire,  
 Since our grey cliffs the din of conflict knew ;  
 Or, pealing through our vales, victorious bagles flew.

## VIII.

' Decayed our old traditional lore,  
 Save where the Hagering fays renew their ring,  
 By milk-maid soon beneath the hawthorn hoar,  
 Or round the marge of Minckmore's haunted spring ;  
 Save where their legends grey-hair'd shepherds sing

That

That now scarce win a listening ear but thine,  
Of feuds obscure, and border ravaging,  
And rugged deeds' record in rugged line,  
Of moonlight foray made on Teviot, Tweed, or Tyne.

## IX.

' No! search romantic lands, where the near Sun  
Gives with unstinted boon ethereal flame,  
Where the rude villager, his labour done,  
In verse spontaneous chants some favour'd name;  
Whether Olafia's charms his tribute claim,  
Her eye of diamond, and her locks of jet;  
Or whether, kidnapping at the beds of Gramsc,  
He sing, to wild Morisco measure set,  
Old Albin's red claymore, green Erin's bayonet!

## X.

' Explore those regions, where the flinty crest  
Of wild Nevada ever gleams with snows,  
Where in the proud Alhambra's ruined breast  
Barbaric monuments of pomp repose;  
Or where the banners of more ruthless foes  
Then the fierce Moor, float o'er Toledo's fane,  
From whose tall towers even now the patriot throws  
An anxious glance, to spy upon the plain  
The blended ranks of England, Portugal, and Spain.

## XI.

' There, of Numantian fire a swarthy spark  
Still lightens in the sun-burnt native's eye;  
The stately port, slow step, and visage dark,  
Still mark enduring pride and constancy:  
And, if the glow of feudal chivalry  
Beam not, as once, thy nobles' dearest pride,  
Iberial oft thy crestless peasantry  
Have seen the plumed Hidalgo quit their side,  
Have seen, yet dauntless stood—'gainst fortune fought and died.

## XII.

' And cherished still by that unchanging race,  
Are themes for minstrelsy more high than thine;  
Of strange tradition many a mystic trace,  
Legend and vision, prophecy and sign;  
Where wonders wild of Arabesque combine  
With Gothic imagery of darker shade,  
Forming a model meet for minstrel line.  
Go, seek such theme!—The Mountain Spirit said:  
With filial awe I heard—I heard, and I obeyed.

## THE VISION OF DON RODERICK.

[In continuation from the same.]

**R**EARING their crests amid the cloudless skies;  
 And darkly clustering in the pale moonlight,  
 Toledo's holy towers and spires arise,  
 As from a trembling lake of silver white,  
 Their mingled shadows intercept the light  
 Of the broad burial-ground outstretched below,  
 And mought disturbs the silence of the night;  
 All sleeps in sullen shade, or silver glow,  
 All save the heavy swell of Teio's ceaseless flow.

## II.

All save the rushing swell of Teio's tide,  
 Or, distant brant, a courier's neigh or tramp;  
 Their changing rounds as watchful horsemen ride,  
 To guard the limits of King Roderick's camp.  
 Far, through the river's night-fog rolling damp,  
 Was many a proud pavilion dimly seen,  
 Which glimmer'd back, against the moon's fair lamp,  
 Tissues of silk and silver twisted sheen,  
 And standards proudly pitch'd, and warders armed between.

## III.

But of their Monarch's person keeping ward,  
 Since last the deep-moan'd bell of vespers toll'd,  
 The chosen soldiers of the royal guard  
 Their post beneath the proud Cathedral hold:  
 A band unlike their Gothic sires of old,  
 Who, for the cap of steel and iron maces,  
 Bear slender darts, and casques bedeck'd with gold.  
 While silver-studded belts their shoulders grace,  
 Where ivory quivers ring in the broad falchion's place.

## IV.

In the light language of an idle court,  
 They murmur'd at their master's long delay,  
 And beld his lengthen'd orisons in sport:—  
 'What! will Don Roderick here till morning stay,  
 To wear in shirt and prayer the night away?  
 And are his hours in such dull posance past  
 For fair Florinda's phunder'd charms to pay?—  
 Then to the east their weary eyes they cast,  
 And wish'd the lingering dawn would glimmer forth at last.

V. But,

## V.

But, far within, Toledo's Prelate lent  
 An ear of fearful wonder to the King ;  
 The silver lamp's fitful lustre sent,  
 So long that sad confession witnessing :  
 For Roderick told of many a hidden thing,  
 Such as are lothly uttered to the air,  
 When Fear, Remorse, and Shame, the bosom wring,  
 And Guilt his secret burthen cannot bear,  
 And Conscience seeks in speech a respite from Despair.

## VI.

Full on the Prelate's face, and silver hair,  
 The stream of failing light was feebly roll'd ;  
 But Roderick's visage, though his head was bare,  
 Was shadow'd by his hand and mantle's fold.  
 While of his hidden soul the sins he told,  
 Proud Alaric's descendant could not brook,  
 That mortal man his bearing should behold,  
 Or boast that he had seen, when conscience shook,  
 Fear tames a monarch's brow, remorse a warrior's look.

## VII.

The old man's faded cheek waxed yet more pale,  
 As many a secret sad the king bewray'd ;  
 And signs and glance eek'd out the unfinished tale,  
 When in the midst his faltering whisper staid.—  
 " Thus royal Witiza was slain,"—he said :  
 " Yet, holy father, deem not it was I.—  
 Thus still Ambition strives her crimes to shade—  
 " Oh rather deem 'twas stern necessity )  
 Self-preservation bade, and I must kill on this

## VIII.

" And, if Florinda's shrieks alarmed the air,  
 If she invoked her absent sire in vain,  
 And on her knees implored that I would spare,  
 Yet, reverend priest, thy sentence rash refrain !—  
 All is not as it seems—the female train  
 Know by their bearing to disguise their mood :—  
 But Conscience here, as if in high disdain,  
 Sent to the Monarch's cheek the burning blood—  
 He stay'd his speech abrupt—and up the Prelate stood.

## IX.

" O hardened offspring of an even race !  
 What of thy crimes, Don Roderick, shall I say ?  
 What slays, or prays, or penance can efface  
 Murder's dark spot, wash treason's stain away !  
 For the foul rapisher how shall I pray,

Who,

Who, scarce repentant, makes his crime his boast ?  
 How hope Almighty vengeance shall delay,  
 Unless, in mercy to yon Christian host,  
 He spare the shepherd, lest the guiltless sheep be lost."—

## X.

Then kindled the dark Tynat in his mood,  
 And to his brow returned its dauntless gloom ;  
 "And welcome then," he cried, "be blood for blood,  
 For treason, treachery, for dishonour doom !  
 Yet will I know whence come they, or by whom.  
 Shew, for thou canst—give forth the fated key,  
 And guide me, Priest, to that mysterious room,  
 Where, if aught true in old tradition be,  
 His nation's future fates a Spanish King shall see."—

## XI.

"Ill-fated prince ! recall the desperate word,  
 Or pause ere yet the omen thou obey !  
 Beshiek, yon spell-bound portal would afford  
 Never to former Monarch entrance way ;  
 Nor shall it ever ope, old records say,  
 Save to a King, the last of all his line,  
 What time his empire totters to decay,  
 And treason digs, beneath, her fatal mine,  
 And, high above, impends avenging wrath divine."—

## XII.

—"Prelate ! a Monarch's fate brooks no delay ;  
 Lead on !"—The ponderous key the old man took,  
 And held the winking lamp, and led the way,  
 By winding stair, dark aisle, and secret nook,  
 Then on an ancient gate-way bent his look ;  
 And, as the key the desperate King essay'd,  
 Low muttered thunders the Cathedral shook,  
 And twice he stopped, and twice new effort made,  
 Till the huge bolts rolled back, and the loud hinges pray'd.

## XIII.

Long, large, and lofty, was that vaulted hall ;  
 Roof, walls, and floor, were all of marble stone,  
 Of polished marble, black as funeral pall,  
 Carved o'er, with signs and characters unknown.  
 A paly light, as of the dawning, shone  
 Through the sad bounds, but whence they could not spy ;  
 For windows to the upper air, none.  
 Yet, by that light, Don Roderick could descry  
 Wonders that ne'er till then were seen by mortal eye.

## XIV. Grim

XIV.  
 Grim centinels, against the upper wall, all ranged  
 Of molten bronze, two statues held their place;  
 Massive their naked limbs, their stature tall,  
 Their frowning foreheads golden circles grace.  
 Moulded they seemed for kings of giant race,  
 That lived and sin'd before the avenging flood;  
 This grasped a scythe, that rested on a mace;  
 This spread his wings for flight, that pondering stood,  
 Each stubborn seemed and stern, immutable of mood.

XV.  
 Fixed was the right-hand Giant's brazen look  
 Upon his brother's glass of shifting sand,  
 As if its ebb he measured by a tick  
 Whose iron volume loaded his huge hand;  
 In which was wrote of many a falling land,  
 Of empires lost, and kings to exile driven;  
 And o'er that pair their names in scroll expand—  
 "Lo, Destroyer and True! to whom by Heaven  
 The guidance of the earth is for a season given."

XVI.  
 Even while they read, the sand-glass wastes away;  
 And, as the last and lagging grains did creep,  
 That right-hand Giant gan his club away,  
 As one that startles from a heavy sleep.  
 Full on the upper wall the mace's sweep  
 At once descended with the force of thunder,  
 And hurtling down at once, in crumbled heap,  
 The marble boundary was rent asunder,  
 And gave to Roderick's view new sights of fear and wonder.

XVII.  
 For they might spy, beyond that mighty breach,  
 Realms as of Spain in vision'd prospect laid,  
 Castles and towers, in due proportion each,  
 As by some skilful artist's hand pourtray'd:  
 Here, crossed by many a wild Sierra's shade,  
 And boundless plains that tire the traveller's eye;  
 There, rich with vineyard and with olive glade,  
 Or deep-embrowned by forests huge and high,  
 Or washed by mighty streams, that slowly murmured by.

XVIII.  
 And here, as erst upon the antique stage  
 Passed forth the bands of masquers trimly led,  
 In various forms, and various equipage,  
 While fitting strains the hearer's fancy fed,  
 So, to sad Roderick's eye in order spread,

Successive pageants filled that mystic scene,  
 Shewing the fire of battles ere they bled;  
 And issues of events that had not been;  
 And ever and anon strange sounds were heard between.

## XIX.

First shrilled an unrepeatable female shriek!—  
 It seemed as if Don Roderick knew the call,  
 For the bold blood was blanching in his cheek.—  
 Then answered kettle-drums and tabal,  
 Gong-peal and cymbal-clank the ear appal,  
 The Tecbir war-cry, and the Lelies yell,  
 Ring wildly dissonant along the hall,  
 Needs not to Roderick their dread import tell—  
 "The Moor!" he cried, "the Moor!—ring out the Tocsin bell!

## XX.

"They come! they come! I see the groaning lands  
 White with the turbans of each Arab horde,  
 Swart Zaarah joins her mistbelieving bonds,  
 Alla and Mahomet their battle-word,  
 The choice they yield the Koran or the sword.—  
 See how the Christians rush to arms amain!—  
 In ponder shout the voice of conflict raised—  
 The shadowy hosts are closing on the plain—  
 Now, God and Saint Iago strike, for the good cause of Spain!"

## XXI.

"By heaven, the Moors prevail! the Christians yield!—  
 Their coward leader gives for flight the sign!—  
 The sceptered oration mounts to quit the field—  
 Is not yon steeled Orelia?—Yes, 'tis mine!—  
 But never was she turned from battle-line:  
 Lo! where the recreant spurs o'er stock and stone!—  
 Curses pursue the slave and wrath divine!  
 Rivers ingulph him!—"Hush," in shuddering tone,  
 The Prelate said, "tush Prince, you visioned form's thine own!"—

## XXII.

Just then, a torrent crossed the flier's course;  
 The dangerous ford the Kingly Likeness tried—  
 But the deep eddies whelmed both man and horse,  
 Swept like benighted peasant down the tide,  
 And the proud Moslemah spread far and wide,  
 As numerous as their native locust band;  
 Berber and Lupa's sons the spoils divide,  
 With naked scimitars mete out the land,  
 And for their bondsmen base the freeborn natives brand.

## XXIII. Then



## XXIII.

Then rose the grates Harim, to inclose  
 The loveliest maidens of the Christian line;  
 Then, menials to their mistbelieving sets,  
 Castile's young nobles held forbidden wine;  
 Then, too, the holy Cross, salvation's sign,  
 By impious hands was from the altar thrust,  
 And the deep sises of the polluted shrine,  
 Echoed; for holy hymn and organ tone,  
 The Santon's frantic dance, the Fakir's gibbering moan.

## XXIV.

How fares Don Roderick?—E'en as one who spies  
 Flames dart their glare o'er midnight's sable woof,  
 And hears around his children's piercing cry,  
 And sees the pale assistants stand aloof;  
 While cruel Conscience brings him bitter proof,  
 His folly, or his crime, have caused his grief;  
 And, while above him nods the crumbling roof,  
 He curses earth and Heaven—himself in chief—  
 Desperate of earthly aid, despairing Heaven's relief!

## XXV.

That scythe-armed Giant turned his fatal glass,  
 And twilight on the landscape closed her wings;  
 Far to Asturian hills the war-wards pass,  
 And in their stead rebeck or timbrel rings;  
 And to the sound the bell-deck'd dancier springs,  
 Gazars resound as when their marts are met,  
 In tourney light the Moor his jerid flings,  
 And on the land as evening seemed to set,  
 The Imaun's chaunt was heard from mosque or minaret.

## XXVI.

So passed that pageant. Ere another came,  
 The visionary scene was wrapped in smoke,  
 Whose sulph'rous wreaths were crossed by sheets of flame;  
 With every flash a bolt explosive broke,  
 Till Roderick deemed the fiends had burst their yoke,  
 And waved 'gainst heaven the infernal gonfalons!  
 For War a now and dreadful language spoke,  
 Never by ancient warrior heard or known;  
 Lightning and smoke her breath, and thunder was her tone.

## XXVII.

From the dim landscape roll the clouds away—  
 The Christians have regained their heritage;  
 Before the Cross has waved the Crescent's ray,  
 And many a monastery decks the stage,  
 And lofty church, and low-brow'd hermitage.

The land obeys a Hermit and a Knight,—  
 The Genii these of Spain for many an age;  
 This clad in sackcloth, that in armour bright,  
 And that was VALOUR named, this BIGOTRY was hight.

## XXVIII.

VALOUR was harnessed like a Chief of old,  
 Armed at all points, and prompt for knightly quest;  
 His sword was tempered in the Ebro cold,  
 Morena's eagle-plume adorned his crest,  
 The spoils of Afric's lion bound his breast.  
 Fierce he stepped forward and flung down his gage,  
 As if of mortal kind to brave the best.  
 Him followed his Companion dark and sage,  
 As he, my Master sung, the dangerous Archimage.

## XXIX.

Haughty of heart and brow the Warrior came,  
 In look and language proud as proud might be,  
 Vaunting his lordship, lineage, fights and fame,  
 Yet was that bare-foot Monk more proud than he;  
 And as the ivy climbs the tallest tree,  
 So round the loftiest soul his toils he wound,  
 And with his spells subdued the fierce and free,  
 Till crumpled Age, and Youth in arms renowned,  
 Honouring his scourge and hair-cloth, meekly kissed the ground.

## XXX.

And thus it chanced that VALOUR, peerless Knight,  
 Who ne'er to King or Kaiser veiled his crest,  
 Victorious still in bull-feast, or in fight,  
 Since first his limbs with mail he did invest,  
 Stooped ever to that Anchorite's behest;  
 Nor reasoned of the right nor of the wrong,  
 But at his bidding laid the lance in rest,  
 And wrought fell deeds the troubled world along,  
 For he was fierce as brave, and pitiless as strong.

## XXXI.

Of his proud galleys sought some new-found world,  
 That latest sees the sun, or first the morn;  
 Still at that Wizard's feet their spoils he hurl'd,—  
 Ingots of ore from rich Potosi borne,  
 Crowns by Caciques, sigrettes by Omrahs worn,  
 Wrought of rare gems, but broken, rent, and foul;  
 Idols of gold from heathen temples torn,  
 Bedabbled all with blood.—With grisly scowl  
 The Hermit marked the stains, and smiled beneath his cowl.

## XXXII.

Then did he bless the offering, and bade make  
 Tribute to heaven of gratitude and praise;  
 And at his word the choral hymns awake,  
 And many a hand the silver censer sways.  
 But with the incense breath these censers raise,  
 Mixt streams from corpses smouldering in the fire;  
 The groans of prisoned victims mar the lays,  
 And shrieks of agony confound the quire,  
 While, mid the mingled sounds, the darkened scenes expire.

## XXXIII.

Preluding light, were strains of music heard,  
 As once again revolved that measured sand;  
 Such sounds as when, for sylvan dance prepared,  
 Gay Xeres summons forth her vintage band;  
 When for the light Bolero ready stand  
 The Moso blithe, with gay Muchacha met,  
 He conscious of his brodered cap and band,  
 She of her netted locks and light corsette,  
 Each tiptoe perched to spring, and shake the castruet.

## XXXIV.

And well such strains the opening scene became;  
 For VALONA had relaxed his ardent look,  
 And at a lady's feet, like lion tame,  
 Lay stretched, full loth the weight of arms to brook;  
 And softened BIGOTRY, upon his book,  
 Pattered a task of little good or ill:  
 But the blithe peasant plied his pruning-hook,  
 Whistled the muleteer o'er vale and hill,  
 And rung from village-green the merry Seguidillo.

## XXXV.

Grey Royalty, grown impotent of toil,  
 Let the grave sceptre slip his lazy hold,  
 And careless saw his rule become the spoil  
 Of a loose Female and her Minion bold;  
 But peace was on the cottage and the fold,  
 From court intrigue, from bickering faction far;  
 Beneath the chestnut tree Love's tale was told;  
 And to the tinkling of the light guitar,  
 Sweet stooped the western sun, sweet rose the evening star.

## XXXVI.

As that sea-cloud, in size like human hand  
 When first from Carmel by the Tishbite seen,  
 Came slowly over-shadowing Israel's land,  
 Awhile, perchance, bedecked with colours seen,  
 While yet the sunbeams on its skirts had been,

Limning with purple and with gold its shroud,  
 Till darker folds obscured the blue serene,  
 And blotched heaven with one broad sable cloud—  
 Then sheeted rain burst down, and whirlwinds howled aloud;—

## XXXVII.

Even so upon that peaceful scene was poured,  
 Like gathering clouds, full many a foreign band;  
 And He, their Leader, wore in sheath his sword,  
 And offered peaceful front and open hand;  
 Veiling the perjured treachery he planned,  
 By friendship's zeal and honour's specious guise,  
 Until he won the passes of the land;  
 Then, burst were honour's oath, and friendship's ties!  
 He clutched his vulture-grasp, and called fair Spain his prize.

## XXXVIII.

An Iron Crown his anxious forehead bore;  
 And well such diadem his heart became,  
 Who ne'er his purpose for remorse gave o'er,  
 Or check'd his course for piety or shame;  
 Who, trained a soldier, deemed a soldier's fame  
 Might flourish in the wreath of battles won,  
 Though neither truth nor honour deck'd his name;  
 Who, placed by fortune on a Monarch's throne,  
 Recked not of Monarch's faith, or Mercy's kingly tone.

## XXXIX.

From a rude isle his ruder lineage came:  
 The spark, that, from a suburb hovel's hearth  
 Ascending, wraps some capital in flame,  
 Hath not a meaner or more sordid birth.  
 And for the soul that bade him waste the earth,  
 The sable land-flood from some swamp obscure,  
 That poisons the glad husband-field with dearth,  
 And by destruction bids its fame endure,  
 Hath not a source more sullen, stagnant, and impure.

## XL.

Before that Leader strode a shadowy Form:  
 Her limbs like mist, her torch like meteor shew'd,  
 With which she beckoned him through fight and storm,  
 And all he crushed that crossed his desperate road,  
 Nor thought, nor feared, nor looked on what he trode;  
 Realms could not glut his pride, blood could not slake  
 So oft as e'er she shook her torch abroad—  
 It was AMBITION bade his terrors wake,  
 Nor deigned she, as of yore, a milder form to take.

## POETRY.

## XLI.

No longer now she spurned at mean revenge,  
 Or staid her hand for conquered foe's moan,  
 As when, the fates of aged Rome to change,  
 By Cæsar's side she crossed the Rubicon;  
 Nor joyed she to bestow the spoils she won,  
 As when the banded powers of Greece were tasked,  
 To war beneath the Youth of Mædon:  
 No seemly veil her modern mislot asked,  
 He saw her hideous fate, and loved the fiend unmasked.

## XLII.

That Prelate marked his march—On banners blazed  
 With battles won in many a distant land,  
 On eagle-standards and on arms he gazed!  
 "And hopest thou, then," he said, "thy power shall stand?  
 O thou hast builded on the shifting sand,  
 And thou hast temper'd it with slaughter's flood;  
 And know, fell scourge in the Almighty's hand!  
 Gore-moistened trees shall perish in the bud,  
 And, by a bloody death shall die the Man of Blood!"—

## XLIII.

The ruthless Leader beckoned from his train,  
 A wan fraternal Shade, and bade him kneel,  
 And paled his temples with the crown of Spain,  
 While trumpets rang, and heralds cried, "Castile!"  
 Not that he loved him—No!—in no man's weal,  
 Scarce in his own, e'er joyed that sullen heart;  
 Yet round that throne he bade his warriors wheel,  
 That the poor puppet might perform his part,  
 And be a sceptred slave, at his stern beck to start.

## XLIV.

But on the Natives of that Land misused,  
 Not long the silence of amazement hung,  
 Nor brooked they long their friendly faith abused;  
 For, with a common shriek, the general tongue  
 Exclaim'd, "To arms!" and fast to arms they sprung.  
 And VALOUR woke, that Genius of the land!  
 Pleasure, and ease, and sloth, aside he flung,  
 As burst the awakening Nazarite his band,  
 When 'gainst his treacherous foes he clenched his dreadful hand.

## XLV.

That mimic Monarch now cast anxious eye  
 Upon the Satraps that begirt him round,  
 Now doffed his royal robe in act to fly,  
 And from his brow the diadem unbound.  
 So oft, so near the Patriot bugle wound,

From Tarik's walls to Bilboa's mountains blown,  
 These martial satellites hard labour found,  
 To guard awhile his substituted throne—  
 Light recking of his cause, but battling for their own.

## XLVI.

From Alpuhara's peak that bugle rung,  
 And it was echoed from Corunna's wall;  
 Stately Seville responsive war-shout flung,  
 Grenada caught it in her Moorish hall;  
 Galicia bade her children fight or fall,  
 Wild Biscay shook his mountain-coronet,  
 Valencia roused her at the battle-call,  
 And, foremost still where Valour's sons are met,  
 Fast started to his gun each fiery Miquelet.

## XLVII.

But unappalled, and burning for the fight,  
 The Invaders march, of victory secure;  
 Skilful their force to sever or unite,  
 And trained alike to vanquish or endure.  
 Nor skilful less, cheap conquest to insure,  
 Discord to breathe, and jealousy to sow;  
 To quell by boasting, and by bribes to lure;  
 While nought against them bring the unpractised foe,  
 Save hearts for freedom's cause, and hands for freedom's blow.

## XLVIII.

Proudly they march—but O! they march not forth,  
 By one hot field to crown a brief campaign,  
 As when their eagles sweeping through the North,  
 Destroyed at every stoop an ancient reign!  
 Far other fate had Heaven decreed for Spain;  
 In vain the steel, in vain the torch was plied,  
 New Patriot armies started from the slain,  
 High blazed the war, and long, and far, and wide,  
 And oft the God of Battles blest the righteous side,

## XLIX.

Nor unatoned, where Freedom's foes prevail,  
 Remained their savage waste, With blade and brand,  
 By day the Invaders ravaged hill and dale,  
 But, with the darkness, the Guerilla band  
 Came like night's tempest, and avenged the land,  
 And claimed for blood the retribution due,  
 Probed the hard heart, and lopp'd the murderous hand;  
 And Dawn, when o'er the scene her beams she threw,  
 Midst ruins they had made the spoilers' corpses knew.

L.

What Minstrel verse may sing, or tongue may tell,  
Amid the visioned strife from sea to sea,  
How oft the Patriot banners rose or fell,  
Still honoured in defeat as victory!  
For that sad pageant of events to be,  
Shewed every form of fight by field and flood;  
Slaughter and Ruin, shouting forth their glee,  
Beheld, while riding on the tempest-scud,  
The waters choaked with slain, the earth bedrenched with blood!

LI.

Then Zaragoza—blighted be the tongue  
That names thy name without the honour due!  
For never hath the harp of minstrel rung,  
Of faith so felly proved, so firmly true!  
Mine, sap, and bomb thy shattered ruins knew,  
Each art of war's extremity had room,  
Twice from thy half-sacked streets the foe withdrew,  
And when at length stern Fate decreed thy doom,  
They won not Zaragoza, but her children's bloody tomb.

LII.

Yet raise thy head, sad City! Though in chains,  
Enthrall'd thou can'st not be! Arise and claim  
Reverence from every heart where Freedom reigns,  
For what thou worshippest!—thy sainted Dame,  
She of the Column, honoured be her name,  
By all, whate'er their creed, who honour love;  
And like the sacred reliques of the flame,  
That gave some martyr to the blessed above,  
To every loyal heart may thy sad embers prove!

LIII.

Nor thine alone such wreck. Gerona fair!  
Faithful to death thy heroes should be sung.  
Manning the towers while o'er their heads the air  
Swart as the smoke from raging furnace hung;  
Now thicker darkening where the mine was sprung,  
Now briefly lightened by the cannon's flare,  
Now arched with fire-sparks as the bomb was flung,  
And reddening now with conflagration's glare,  
While by the fatal light the foes for storm prepare.

LIV.

While all around was danger, strife, and fear,  
While the earth shook, and darkened was the sky,  
And wide Destruction stunned the listening ear,  
Appalled the heart, and stupified the eye,—  
Afar was heard that thrice-repeated cry,

In which old Albion's heart and tongue unite,  
 Whene'er her soul is up and pulse beats high,  
 Whether it hail the wine-cup or the fight,  
 And bid each arm be strong, or bid each heart be light.

## LV.

Don Roderick turn'd him as the shout grew loud—  
 A varied scene the changeful vision show'd,  
 For, where the ocean mingled with the cloud,  
 A gallant navy stemm'd the billows broad,  
 From mast and stern St. George's symbol bow'd,  
 Blent with the silver cross to Scotland dear:  
 Motting the sea their landward barges row'd,  
 And flash'd the sun on bayonet, brand, and spear,  
 And the wild beach returned the seaman's jovial cheer.

## LVI.

It was a dread, yet spirit-stirring sight!  
 The billows foamed beneath a thousand oars,  
 Fast as they land the red cross ranks unite,  
 Legions on legions brightening all the shores.  
 Then banners rise, and cannon-signal roars,  
 Then peals the warlike thunder of the drum,  
 Thrills the loud fife, the trumpet-flourish pours,  
 And patriot hopes awake, and doubts are dumb,  
 For, bold in Freedom's cause, the bands of Ocean come!

## LVII.

A various host they came—whose ranks display—  
 Each mode in which the warrior meets the fight,  
 The deep battalion locks its firm array,  
 And meditates his aim the marksman light;  
 Far glance the lines of sabres flashing bright,  
 Where mounted squadrons shake the echoing mead,  
 Lacks not artillery breathing flame and night,  
 Nor the fleet ordnance whirl'd by rapid steed,  
 That rivals lightning's flash in ruin and in speed.

## LVIII.

A various host—from kindred realms they came,  
 Brethren in arms, but rivals in renown—  
 For yon fair bands shall merry England claim,  
 And with their deeds of valour deck her crown.  
 Her's their bold port, and her's their martial frown,  
 And her's their scorn of death in freedom's cause,  
 Their eyes of azure, and their locks of brown,  
 And the blunt speech that bursts without a pause,  
 And freeborn thoughts, which league the Soldier with the Laws.

## LIX. And



## LIX.

And O! loyed warriors of the Minstrel's land!  
 Yonder your bonnets nod, your tattans wave!  
 The rugged form may mark the mountain band,  
 And harsher features, and a mien more grave;  
 But ne'er in battle field throbb'd heart so brave  
 As that which beats beneath the Scottish plaid,  
 And when the pibroch bids the battle rave,  
 And level for the charge your arms are laid,  
 Where lives the desperate foe, that for such onset staid!

## LX.

Hark! from yon stately ranks what laughter rings,  
 Mingling wild mirth with war's stern minstrelsy,  
 His jest while each blithe comrade round him flings,  
 And moves to death with military glee:  
 Boast, Erin, boast them! tameless, frank, and free,  
 In kindness warm, and fierce in danger known,  
 Rough Nature's children, humorous as she:  
 And Hæ, yon Chieftain—strike the proudest tone  
 Of thy bold harp, green Isle!—the Hero is thine own.

## LXI.

Now on the scene Vimeira should be shown,  
 On Talavera's fight should Roderick gaze,  
 And hear Corunna wail her battle won,  
 And see Busaco's crest with light'ning blaze:—  
 But shall fond fable mix with heroes' praise?  
 Hath Fiction's stage for Truth's long triumphs room?  
 And dare her wild-flowers mingle with the bays,  
 That claim a long eternity to bloom  
 Around the warrior's crest, and o'er the warrior's tomb!

## LXII.

Or may I give adventurous Fancy scope,  
 And stretch a bold hand to the awful veil  
 That hides futurity from anxious hope,  
 Bidding beyond it scenes of glory hail,  
 And painting Europe rousing at the tale  
 Of Spain's invaders from her confines hurl'd,  
 While kindling Nations buckle on their mail,  
 And Fame, with clarion-blast, and wings unfurl'd,  
 To freedom and revenge awakes an injured World!

## LXIII.

O vain, though anxious, is the glance I cast,  
 Since Fate has marked futurity her own:—  
 Yet fate resigns to Worth the glorious past,  
 The deeds recorded and the laurels won.  
 Then, though the Vault of Destiny be gone,

King, Prelate, all the phantasms of my brain,  
 Melted away like mist-wreaths in the sun,  
 Yet grant for faith, for valour, and for Spain,  
 One note of pride and fire, a Patriot's parting strain !

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## CONCLUSION.

[From the same.]

## I.

“ **W**HO shall command Estrella's mountain-tide,  
 Back to the source, when tempest-chafed, to hie?  
 Who, when Gascogne's vexed gulph is raging wide,  
 Shall hush it as a nurse her infant's cry?  
 His magic power let such vain boaster try,  
 And when the torrent shall his voice obey,  
 And Biscay's whirlwinds list his lullaby,  
 Let him stand forth and bar mine eagles' way,  
 And they shall heed his voice, and at his bidding stay.

## II.

“ Else, ne'er to stoop, till high on Lisbon's towers  
 They close their wings, the symbol of our yoke,  
 And their own sea hath whelm'd yon red-cross Powers !”—  
 Thus, on the summit of Alverca's rock,  
 To Marshal, Duke, and Peer, Gaul's Leader spoke.  
 While downward on the land his legions press,  
 Before them it was rich with vine and flock,  
 And smiled like Eden in her summer dress;—  
 Behind their wasteful march, a reeking wilderness.

## III.

And shall the boastful Chief maintain his word,  
 Though Heaven hath heard the wailings of the land,  
 Though Lusitania whet her vengeful sword,  
 Though Britons arm, and WELLINGTON command!  
 No! grim Busaco's iron ridge shall stand  
 An adamant barrier to his force!  
 And from its base shall wheel his shattered band,  
 As from the unshaken rock the torrent hoarse  
 Bears off its broken waves, and seeks a devious course.

## IV.

Yet not because Alcoba's mountain-hawk  
 Hath on his best and bravest made her food,  
 In numbers confident, yon Chief shall baulk  
 His Lord's imperial thirst for spoil and blood:  
 For full in view the promised conquest stood,

And

And Lisbon's matrons, from their walls, might sum  
 The myriads that had half the world subdued,  
 And hear the distant thunders of the drum,  
 That bids the band of France to storm and havoc come.

## V.

Four moons have heard these thunders idly roll'd,  
 Have seen these wistful myriads eye their prey,  
 As famish'd wolves survey a guarded fold—  
 But in the middle path a Lion lay !  
 At length they move—but not to battle-fray,  
 Nor blaze yon fires where meets the manly fight;  
 Beacons of infamy, they light the way,  
 Where cowardice and cruelty unite,  
 To damn with double shame their ignominious flight !

## VI.

O triumph for the Fiends of Lust and Wrath !  
 Ne'er to be told, yet ne'er to be forgot,  
 What wanton horrors marked their wrackful path !  
 The peasant butchered in his ruined cot,  
 The hoary priest even at the altar shot,  
 Childhood and age given o'er to sword and flame,  
 Woman to infamy ;—no crime forgot,  
 By which inventive daemons might proclaim,  
 Immortal hate to Man, and scorn of God's great name !

## VII.

The rudest centinel, in Britain born,  
 With horror paused to view the havoc done,  
 Gave his poor crust to feed some wretch forlorn,  
 Wiped his stern eye, then fiercer grasped his gun.  
 Nor with less zeal shall Britain's peaceful son  
 Exult the debt of sympathy to pay ;  
 Riches nor poverty the tax shall shun,  
 Nor prince nor peer, the wealthy nor the gay,  
 Nor the poor peasant's mite, nor bard's more worthless lay.

## VIII.

But thou—unfoughten wilt thou yield to Fate,  
 Minion of Fortune, now miscalled in vain !  
 Can vantage-ground no confidence create,  
 Marcella's pass, nor Guarda's mountain-chain ?  
 Vain-glorious Fugitive ! yet turn again !  
 Behold, where named, by some prophetic Seer,  
 Flows Honour's Fountain, as fore-doomed the stain  
 From thy dishonoured name and arms to clear—  
 Fallen Child of Fortune, turn, redeem her favour here !

## IX.

Yet, ere thou turn'st, collect each distant aid;  
 Those chief that never heard the Lion roar!  
 Within whose souls lives not a trace pourtray'd,  
 Of Talavera, or Mondego's shore!  
 Marshal each band thou hast, and summon more,  
 Of war's fell stratagems exhaust the whole;  
 Rank upon rank, squadron on squadron pour,  
 Legion on legion on thy foeman roll,  
 And weary out his arm--thou canst not quell his soul.

## X.

O vainly gleams with steel Agueda's shore,  
 Vainly thy squadrons hide Assuava's plain,  
 And front the dying thunders as they roar,  
 With frantic charge and tenfold odds, in vain!  
 And what avails thee that, for Cameron slain,  
 Wild from his plaided ranks the yell was given--  
 Vengeance and grief gave mountain rage the rein,  
 And, at the bloody spear-point headlong driven,  
 Thy Despot's giant guards fled like the rack of Heaven.

## XI.

Go, baffled Boaster! teach thy haughty mood  
 To plead at thine imperious master's throne!  
 Say, thou hast left his legions in their blood,  
 Deceived his hopes, and frustrated thine own;  
 Say, that thine utmost skill and valour shown  
 By British skill and valour were outvied;  
 Last say, thy conqueror was WELLINGTON!  
 And if he chafe, be his own fortune tried--  
 God and our cause to friend, the venture we'll abide.

## XII.

But ye, the heroes of that well fought day,  
 How shall a bard, unknowing and unknown,  
 His meed to each victorious leader pay,  
 Or bind on every brow the laurels won?  
 Yet fain my harp would wake its boldest tone,  
 O'er the wide sea to hail CADOGAN brave;  
 And he, perchance, the minstrel note might own,  
 Mindful of meeting brief that Fortune gave,  
 Mid yon far western isles, that hear the Atlantic rave.

## XIII.

Yes! hard the task, when Britons wield the sword,  
 To give each Chief and every field its fame:  
 Hark! Albuera thunders BARRINGTON,  
 And dread Barosa shouts for dauntless GRANGE!  
 O for a verse of tumult and of flame,

Bold as the bursting of their cannon sound,  
 To bid the world re-echo to their fame;  
 For never, upon gory battle-ground,  
 With conquest's well-bought wreath were braver victors crown'd!

## XIV.

O who shall grudge him Albuera's bays,  
 Who brought a race regenerate to the field,  
 Roused them to emulate their fathers' praise,  
 Temper'd their headlong rage, their courage steel'd,  
 And raised fair Lusitania's fallen shield,  
 And gave new edge to Lusitania's sword,  
 And taught her sons forgotten arms to wield—  
 Shivered my harp, and burst its every chord,  
 If it forget thy worth, victorious BERRISFORD!

## XV.

Not on that bloody field of battle won,  
 Though Gaul's proud legions rolled like mist away,  
 Was half his self-devoted valour shown,—  
 He gaged but life on that illustrious day;  
 But when he toiled those squadrons to array,  
 Who fought like Britons in the bloody game,  
 Sharper than Polish pike or assagay,  
 He braved the shafts of censure and of shame,  
 And, dearer far than life, he pledged a soldier's fame.

## XVI.

Nor be his praise o'erpast who strove to hide  
 Beneath the warrior's vest affection's wound,  
 Whose wish, Heaven for his country's weal denied;  
 Danger and fate he sought, but glory found.  
 From clime to clime, where'er war's trumpets sound,  
 The wanderer went; yet, Caledonia! still  
 Thine was his thought in march and tented ground;  
 He dreamed mid Alpine cliffs of Athole's hill,  
 And heard in Ebro's roar his Lyndoch's lovely rill.

## XVII.

O hero of a race renowned of old,  
 Whose war-cry oft has waked the battle-swell,  
 Since first distinguished in the onset bold,  
 Wild sounding when the Roman rampart fell!  
 By Wallace' side it rung the Southron's knell,  
 Alderne, Kilsythe, and Tibber owned its fame,  
 Tummell's rude pass can of its terrors tell,  
 But ne'er from prouder field arose the name,  
 Than when wild Ronda learned the conquering shout of GRANE.

## XVIII. But

## XVIII.

But all too long, through seas unknown and dark,  
 (With Spenser's parable I close my tale)  
 By shoal and rock hath steered my venturous bark;  
 And land-ward now I drive before the gale,  
 And now the blue and distant shore I hail,  
 And nearer now I see the port expand,  
 And now I gladly furl my weary sail,  
 And, as the prow light touches on the strand,  
 I strike my red-cross flag, and bind my skiff to land.

## PSYCHE AND LOVE.

[FROM MRS. TIGHE'S PSYCHE.]

**I**LLUMINED bright now shines the splendid dome,  
 Melodious accents her arrival hail:  
 But not the torches' blaze can chase the gloom,  
 And all the soothing powers of music fail;  
 Trembling she seeks her couch with horror pale,  
 But first a lamp conceals in secret shade,  
 While unknown terrors all her soul assail.  
 Thus half their treacherous counsel is obeyed,  
 For still her gentle soul abhors the murderous blade.

And now, with softest whispers of delight,  
 Love welcomes Psyche still more fondly dear;  
 Not unobserved, though hid in deepest night,  
 The silent anguish of her sacred fear.  
 He thinks that tenderness excites the tear  
 By the late image of her parents' grief,  
 And half-offended seeks in vain to cheer,  
 Yet, while he speaks, her sorrows feel relief,  
 Too soon more keen to sting from this suspension brief!

Allowed to settle on celestial eyes  
 Soft Sleep exulting now exerts his sway,  
 From Psyche's anxious pillow gladly flies  
 To veil those orbs, whose pure and lambent ray  
 The powers of heaven submissively obey.  
 Trembling and breathless then she softly rose  
 And seized the lamp, where it obscurely lay,  
 With hand too rashly daring to disclose  
 The sacred veil which hung mysterious o'er her woes.

Twice,

Twice, as with agitated step she went,  
 The lamp expiring shone with doubtful gleam,  
 As though it warn'd her from her rash intent :  
 And twice she paused, and on its trembling base  
 Gazed with suspended breath, while voices near  
 With murmuring sound along the roof to sigh ;  
 As one just waking from a troubled dream,  
 With palpitating heart and staining eye,  
 Still fix'd with fear remains, still thinks the danger nigh.

Oh! daring Muse! wilt thou indeed essay  
 To paint the wonders which that lamp could shew?  
 And canst thou hope in living words to say  
 The dazzling glories of that heavenly view?  
 Ah! well I ween, that if with pencil true  
 That splendid vision could be well express'd,  
 The fearful awe imprudent Psyche knew  
 Would seize with rapture every wondering breast,  
 When Love's all potent charms divinely stood confest.

All imperceptible to human touch,  
 His wings display celestial essence light,  
 The clear effulgence of the blaze is such,  
 The brilliant plumage shines so heavenly bright  
 That mortal eyes turn dazzled from the sight ;  
 A youth he seems in manhood's freshest years ;  
 Round his fair neck, as clinging with delight,  
 Each golden curl resplendently appears,  
 Or shades his darker brow, which grace majestic wears.

Or o'er his guileless front the ringlets bright  
 Their rays of sunny lustre seem to throw,  
 That front, than polish'd ivory more white !  
 His blooming cheeks with deeper blushes glow  
 Than roses scattered o'er a bed of snow :  
 While on his lips, distilled in balmy dews,  
 (Those lips divine, that even in silence know  
 The heart to touch) persuasion to infuse  
 Still hangs a rosy charm that never vainly ceases.

The friendly curtain of indulgent sleep  
 Disclosed not yet his eyes' resistless sway,  
 But from their silky veil there seemed to peep  
 Some brilliant glances with a softened ray,  
 Which o'er his features exquisitely play,  
 And all his polish'd limbs suffuse with light.  
 Thus through some narrow space the azure day  
 Sudden its cheerful rays diffusing bright,  
 Wide darts its lucid beams, to gild the brow of night.

His fatal arrows and celestial bow  
Beside the couch were negligently thrown,  
Nor needs the god his dazzling arms, to show  
His glorious birth, such beauty round him shone  
As sure could spring from Beauty's self alone;  
The gloom which glowed o'er all of soft desire,  
Could well proclaim him Beauty's cherish'd son;  
And Beauty's self will oft these charms admire,  
And staid his winking smile, his glance's living fire.

Speechless with awe, in transport strangely lost  
Long Psyche stood with fixed adoring eye;  
Her limbs immoveable, her senses tost  
Between amazement, fear, and ecstasy,  
She hangs enamour'd o'er the Deity.  
Till from her trembling hand extinguish'd falls  
The fatal lamp—He starts—and suddenly  
Tremendous thunders echo through the halls,  
While ruin's hideous crash bursts o'er the affrighted walls.

Dread horror seizes on her sinking heart;  
A mortal chillness shudders at her breast,  
Her soul shrinks fainting from death's icy dart,  
The groan scarce uttered dies but half express,  
And down she sinks in deadly swoon oppress:  
But when at length, awaking from her trance,  
The terrors of her fate stand all confest,  
In vain she casts around her timid glance,  
The rudely frowning scenes her former joys enhance.

No traces of those joys, alas, remain!  
A desert solitude alone appears.  
No verdant shade relieves the sandy plain,  
The wide-spread waste no gentle fountain cheers,  
One barren face the dreary prospect wears;  
Nought through the vast horizon meets her eye  
To calm the diabolical tumult of her fears,  
No trace of human habitation nigh,  
A sandy wild beneath, above a threatening sky.

The mists of morn yet chill the gloomy air,  
And heavily obscure the clouded skies;  
In the mute anguish of a fixed despair  
Still on the ground immoveable she lies;  
At length, with lifted hands and streaming eyes,  
Her mournful prayers invoke offended Love,  
"Oh, let me hear thy voice once more," she cries,  
"In death at least thy pity let me move,  
"And death, if but forgiven, a kind relief will prove.

"For



" For what can life to thy lost Psyche give,  
 " What can it offer but a gloomy void !  
 " Why thus abandoned should I wish to live ?  
 " To mourn the pleasure which I once enjoyed,  
 " The bliss my own rash folly hath destroyed ;  
 " Of all my soul most prized, or held most dear,  
 " Nought but the sad remembrance doth abide,  
 " And late repentance of my impious fear ;  
 " Remorse and vain regret what living soul can bear !

" Oh, art thou then indeed for ever gone !  
 " And art thou heedless of thy Psyche's woe !  
 " From these fond arms for ever art thou flown,  
 " And unregarded must my sorrows flow !  
 " Ah ! why too happy did I ever know  
 " The rapturous charms thy tenderness inspires ?  
 " Ah ! why did thy affections stoop so low ?  
 " Why kindle in a mortal breast such fires,  
 " Or with celestial love inflame such rash desires ?

" Abandoned thus for ever by thy love,  
 " No greater punishment I now can bear,  
 " From fate no farther malice can I prove ;  
 " Not all the horrors of this desert drear,  
 " Nor death itself can now excite a fear ;  
 " The peopled earth a solitude as vast  
 " To this despairing heart would now appear ;  
 " Here then, my transient joys for ever past,  
 " Let thine expiring bride thy pardon gain at last !"

Now prostrate on the bare unfriendly ground,  
 She waits her doom in silent agony ;  
 When lo ! the well-known soft celestial sound  
 She hears once more with breathless ecstasy,  
 " Oh ! yet too dearly loved ? Lost Psyche ! Why  
 " With cruel fate wouldst thou unite thy power,  
 " And force me thus thine arms adored to fly ?  
 " Yet cheer thy drooping soul, some happier hour  
 " Thy banished steps may lead back to thy lover's bower.

" Though angry Venus we no more can shun,  
 " Appease that anger, and I yet am thine !  
 " Lo ! where her temple glitters to the sun ;  
 " With humble penitence approach her shrine,  
 " Perhaps to pity she may yet incline ;  
 " But should her cruel wrath these hopes deceive,  
 " And thou, alas ! must never more be mine,  
 " Yet shall thy lover ne'er his Psyche leave,  
 " But, if the fates allow, unseen thy woes relieve.

"Stronger than I, they now forbid my stay;  
 "Psyche beloved, adieu!" Scarce can she hear  
 The last faint words, which gently melt away;  
 And now more faint the dying sounds appear,  
 Borne to a distance from her longing ear;  
 Yet still attentively she stands unmov'd,  
 To catch those accents which her soul could cheer,  
 That soothing voice, which had so sweetly proved  
 That still his tender heart offending Psyche loved!

And now the joyous sun had cleared the sky,  
 The mist dispelled revealed the splendid fane;  
 A palmy grove majestically high  
 Screens the fair building from the desert plain;  
 Of alabaster white, and free from stain,  
 Mid the tall trees the tapering columns rose;  
 Thither, with fainting steps, and weary pain,  
 Obedient to the voice at length she goes,  
 And at the threshold seeks protection and repose.

Round the soft scene immortal roses bloom,  
 While lucid myrtles in the breezes play;  
 No savage beast did ever yet presume  
 With foot impure within the grove to stray,  
 And far from hence flies every bird of prey;  
 Thus, mid the sandy Garamantian wild,  
 When Macedonia's lord pursued his way,  
 The sacred temple of great Ammon smiled,  
 And green encircling shades the long fatigue beguiled.

With awe that fearfully her doom awaits  
 Still at the portal Psyche timid lies,  
 When lo! advancing from the hallowed gates  
 Trembling she views with reverential eyes  
 An aged priest. A myrtle bough supplies  
 A wand, and roses bind his snowy brows:  
 "Bear hence thy feet profane (he sternly cries)  
 "Thy longer stay the goddess disallows,  
 "Fly, nor her fiercer wrath too daringly arouse!"

His pure white robe imploringly she held,  
 And, bathed in tears, embraced his sacred knees;  
 Her mournful charms relenting he beheld,  
 And melting pity in his eye she sees;  
 "Hope not (he cries) the goddess to appease,  
 "Retire at awful distance from her shrine,  
 "But seek the refuge of those sheltering trees,  
 "And now thy soul with humble awe incline  
 "To hear her sacred will, and mark the words divine."

" Presumptuous Psyche! whose aspiring soul  
 " The God of Love has dared to arrogate;  
 " Rival of Venus! whose supreme controul  
 " Is now asserted by all-ruling fate,  
 " No suppliant tears her vengeance shall abate  
 " Till thou hast raised an altar to her power,  
 " Where perfect happiness, in lonely state,  
 " Has fixed her temple in secluded bower,  
 " By foot impure of man untrodden to this hour!

" And on the altar must thou place an urn  
 " Filled from immortal Beauty's sacred spring,  
 " Which foul deformity to grace can turn,  
 " And back to fond affection's eyes can bring  
 " The charms which fleeting fled on transient wing;  
 " Snatch'd from the rugged steep where first they rise,  
 " Dark rocks their crystal source o'ershadowing,  
 " Let their clear water sparkle to the skies,  
 " Where cloudless lustre beams, which happiness supplies!

" To Venus thus for ever reconciled,  
 " (This one atonement all her wrath disarms)  
 " From thy loved Cupid then no more exiled,  
 " There shalt thou, free from sorrow and alarms,  
 " Enjoy for ever his celestial charms.  
 " But never shalt thou taste a pure repose,  
 " Nor ever meet thy lover's circling arms,  
 " Till, all subdued that shall thy steps oppose,  
 " Thy perils there shall end, escaped from all thy foes."

With meek submissive woe she heard her doom,  
 Nor to the holy minister replied;  
 But in the myrtle grove's mysterious gloom  
 She silently retired her grief to hide.  
 Hopeless to tread the waste without a guide,  
 All unrefreshed and faint from toil she lies:  
 When lo! her present wants are all supplied,  
 Sent by the hand of Love a turtle flies,  
 And sets delicious food before her wondering eyes.

" Cheer'd by the favouring omen, softer tears  
 Relieve her bosom from its cruel weight:  
 She blames the sad despondence of her fears,  
 When still protected by a power so great,  
 His tenderness her toils will mitigate,  
 Then with renewed strength at least she goes,  
 Hoping to find some skilled in secret fate,  
 Some learned sage who haply might disclose  
 Where lay that blissful bower, the end of all her woes.

And as she went, behold, with hovering flight  
 The dove preceded still her doubtful way;  
 Its spotless plumage of the purest white,  
 Which shone resplendent in the blaze of day,  
 Could even in darkest gloom a light display;  
 Of heavenly birth, when first to mortals given  
 Named Innocence. But, ah! too short its stay;  
 By ravenous birds it fearfully was driven  
 Back to reside with Love, a denizen of heaven.

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## BRYAN BYRNE OF GLENMALURE.

[From the same.]

**B**RIGHT shines the morn o'er Carickmure,  
 And silvers every mountain stream;  
 The autumnal woods on Glenmalure  
 Look lovely in the slanting beam.

And hark! the cry, the cry of joy,  
 The hounds spring o'er yon heathy brow!—  
 " 'Tis but the hunter's horn, my boy,  
 No death-tongued bugle scares us now."

In vain the widowed mother smiled,  
 And clasped her darling to her breast;  
 Horror and rage o'er all the child  
 A manly beauty strange impressed.

Fierce rolled his eye, of heaven's own hue,  
 And the quick blood strong passions told,  
 As fresh the breeze of morning blew  
 From his clear brow the locks of gold.

'Tis not alone the horn so shrill; —  
 Yon martial plume that waves on high,  
 Bids every infant nerve to thrill  
 With more than infant agony.

Yet gentle was the soldier's heart,  
 Whom 'mid the gallant troop he spied  
 Who let the gallant troop depart,  
 And checked his eager courser's pride.

"What fears the child?" he wondering cried,  
 With courteous air as near he drew.  
 "Soldier, away! my father died,  
 Murdered by men of blood like you."

Even while the angry cherub speaks,  
 He struggles from the stranger's grasp:  
 Kissing the tears that bathed her cheeks,  
 His little arms his mother clasp.

"And who are these,—this startled pair,  
 Who swift down Glenmalure are fled?  
 Behold the mother's maniac air,  
 As seized with wild and sudden dread!"

"'Tis Ellen Byrne," an old man cried;  
 "Poor Ellen, and her orphan boy!"  
 Then turned his silvered brow aside,  
 To shun the youth's inquiring eye.

"And is there none to guard the child,  
 Save that lone frenzied widow's hand?  
 These rocky heights, these steep woods wild,  
 Sure some more watchful eye demand."

"Ah, well he knows each rock, each wood,  
 The mountain goat not more secure;  
 And he was born to hardships rude,  
 The orphan Byrne of Carickmure.

"That boy had seen his father's blood,  
 Had heard his murdered father's groan;  
 And never more in playful mood  
 With smiles his infant beauty shone."

Sad was the pitying stranger's eye:  
 "Too well," said he, "I guess the truth;  
 His father, sure, was doomed to die,  
 Some poor deluded rebel youth."

"No rebel he," with eye inflamed,  
 And cheek that glowed with transient fire,  
 Roused to a sudden warmth, exclaimed  
 The hapless Ellen's aged sire.

"He did not fall in Tarah's fight,  
 No blood of his the Curragh stains,  
 Where many a ghost that moans by night  
 Of foully broken faith complains.

" He triumphed not that fatal day,  
 When every loyal cheek looked pale,  
 But heard, like us, with sad dismay,  
 Of fallen chiefs in Clough's dark vale.

" For, wedded to our Ellen's love,  
 One house was ours, one hope, one soul :  
 Though fierce malignant parties strove,  
 No party rage could love control.

" Though we were sprung from British race,  
 And his was Ellen's early pride,  
 Yet matched in every loveliest grace,  
 No priest could e'er their hearts divide.

" What though no yeoman's arms he bore ;  
 'Twas party hate that hope forbad :  
 What though no martial dress he wore,  
 That dress no braver bosom clad.

" And had our gallant Bryan Byrne  
 Been welcomed to their loyal band,  
 Home might I still in joy return  
 The proudest father in the land.

" For, ah ! when Bryan Byrne was slain,  
 With him my brave, my beauteous son  
 His precious life-blood shed in vain ;—  
 The savage work of death was done !

He ceased : for now, by memory stung,  
 His heart's deep wounds all freshly bled,  
 While with a father's anguish wrung,  
 He bowed to earth his aged head.

Yet soothing to his broken heart  
 He felt the stranger's sympathy,  
 And age is ready to impart  
 Its page of woe to pity's eye.

Yes ! it seemed sweet once more to dwell  
 On social joy and peaceful days,  
 And still his darling's virtues tell,  
 And still his Ellen's beauty praise.

" But say," at length exclaimed the youth,  
 " Did no one rash, rebellious deed  
 E'er cloud thy Bryan's loyal truth,  
 And justice doom thy boy to bleed !"

"No; never rash, rebellious deed  
Was his, nor rash rebellious words;  
That day of slaughter saw him bleed,  
Where blushing justice dropped the sword.

"In Fury's hand it madly raged,  
As urged by fierce revenge she flew;  
With unarmed Innocence she waged  
Such war as Justice never knew."

"'Twas ours (the sorrowing father cried),  
'Twas ours to mourn the crimes of all:  
Each night some loyal brother died;  
Each morn beheld some victim fall.

"Oh, 'twas a sad and fearful day  
That saw my gallant boys laid low;  
The voice of anguish and dismay  
Proclaimed full many a widow's woe!

"But doubly o'er our fated house  
The accursed hand of murder fell,  
And ere our Ellen wept her spouse,  
She had a dreadful tale to tell!

"For early on that guilty morn  
The voice of horror reached our ears;  
That, from their thoughtless slumber torn,  
Before a helpless sister's tears,

"Beneath their very mother's sight  
Three youthful brothers butchered lie,  
Three loyal yeomen, brave in fight,  
Butchered by savage treachery.

"They were my nephews; boys I loved,  
My own brave boys alone more dear;  
Their rashness oft my heart reproved;  
And marked their daring zeal with fear.

"They were my widowed sister's joy;  
Her hope in age and dark distress;  
And Ellen loved each gallant boy  
Even with a sister's tenderness.

"It was from Ellen's lips I heard  
The tidings sadly, surely true:  
To me, ere yet the dawn appeared,  
All pale with fear and grief she flew.

" Roused by her call, with her I sought  
 The sad shade of misery :  
 But to the wretched mother brought  
 No comfort, but our sympathy.

" On the cold earth, proud Sorrow's throne,  
 In silent majesty of woe,  
 She sat, and felt herself alone,  
 Though loud the increasing tumults grow.

" In throngs the assembled country came,  
 And every hand was armed with death :  
 Revenge! revenge! (they all exclaim,)  
 Spare no suspected traitor's breath :

" No ; let not one escape who owes  
 The faith of Rome, of treachery :  
 This loyal blood for vengeance groans,  
 And signal vengeance let there be !

" What, shall we feel the coward blow,  
 And tamely wait a late defence ?  
 No ; let us strike the secret foe,  
 Even through the breast of innocence !

" Poor Ellen trembled as they raved ;  
 Her pallid cheek forgot its tears ;  
 While from the hand of fury saved,  
 Her infant darling scarce appears.

" I saw her earnest searching eye,  
 In that dark moment of alarm,  
 Ask, in impatient agony,  
 A brother's dear, protecting arm.

" Woe ! bitter woe, to me and mine !  
 Too well his brave, his feeling heart  
 Already could her fears divine,  
 And more than bear a brother's part.

" When the first savage blast he knew  
 Would bid each deadly bugle roar,  
 Back to our home of peace he flew :  
 Ah, home of peace and love no more !

" Oh ! would to God that I had died  
 Beneath my wretched sister's roof !  
 Thus heaven in mercy had denied  
 To my worst fears their strongest proof.



" So had these eyes been spared a sight  
That wrings my soul with anguish still,  
Nor known how much of life ere night,  
The blood-hounds of revenge could spill.

" Sinking at once with fear and age,  
Her Father's steps my child upheld;  
The mangled victims of their rage  
Each moment shuddering we beheld.

" Down yon steep side of Carletonre,  
Our rugged path we homeward wound;  
And saw, at least, that home secure,  
'Mid many a smoking ruin round.

" Low in the Glen our cottage lies  
Behind yon dusky copse of oak:  
On its white walls we fixed our eyes,  
But not one word poor Ellen spoke!

" We came . . . the clamour scarce was o'er,  
The fiends scarce left their work of death:—  
But never spoke our Bryan more,  
Nor Ellen caught his latest breath.

" Still to the corse by horror joined,  
The shrinking infant closely clung,  
And fast his little arms entwined,  
As round the bleeding neck he hung.

" Oh, sight of horror, sight of woe!  
The dead and dying both were there:  
One dreadful moment served to show,  
For us was nothing but despair.

" Oh, God! even now methinks I see  
My dying boy as there he stood,  
And sought with fond anxiety  
To hide his gushing wounds of blood.

" Ere life yet left his noble breast,  
Gasping, again he tried to speak,  
And twice my hand he feebly pressed,  
And feebly kissed poor Ellen's cheek.

" No word she spoke, no tear she shed,  
Ere at my feet convulsed she fell,  
Still lay my children cold and dead!  
And I yet live, the tale to tell!

## POETRY.

[207]

" She too awakes to wild despair  
With frenzied eye each corner sees;  
To rave, to smile with frantic air,  
But never more to smile for me!

" But hold! from yonder grassy slope  
Our orphan darling calls me hence:  
Sweet child, last relic of our hope,  
Of love and injured innocence.

" Soldier, farewell! To thee should power  
Commit the fate of lives obscure,  
Remember still, in fury's hour  
The murdered youths of Glencow.

" And chief, if civil broils return,  
Though vengeance urge to waste, destroy;  
Ah! pause! . . . think then on Bryan Byrne,  
Poor Ellen, and her orphan boy!

## ODE TO HORROR.

[FROM MR. WHEEDWRIGHT'S POEMS.]

**T**REMENDOUS Pow'r! whose chilling band,  
Relentless tyrants of the Soul,  
Obedient to thy dread command,  
The vital springs control;  
The gasping tongue, no longer free,  
And pulseless veins betoken thee:  
The pallid cheek, the hollow eye,  
And ev'ry fearful mark of wild insanity.

The tortured wretch, who courts repose,  
Prostrate his thorny couch along,  
(When the twin-gates of sleep unclosed,  
And swarms the airy throng)  
Starts trembling, as thy shad'wy form  
Rides on the peacocks of the storm,  
While famish'd vultures scream for food,  
And wave the high-plum'd wing, and snuff the scent of blood.

Athwart the dreary church-yard now  
Forturn he seeks yon cypress' gloom,  
Whose sable branches, bending low,  
Weep o'er the mould'ring tomb.

Calm

Calm Peace is dead—her gentle whisper,  
 And agonizing Woe are there;  
 See! murd'rous bloods their victims crave,  
 And yell the mystic chant, and drag him to the grave.

And now, by senseless sorrow rapt,  
 He views this pilgrimage below;  
 See Happiness a fleeting shade,  
 Reality in woe.  
 To him this mortal scene appears  
 A vale of penitence and tears;  
 Remorse behind and dread before;  
 A dreary boundless waste, a sea without a shore!

"And say," he cries, "what mortal charm  
 "Can aught of happiness impart,  
 "To dissipate such wild alarm,  
 "And raise my drooping heart?  
 "Fortid the senseless tear to flow  
 "Of uncommunicated woe;  
 "Or still the life-consuming fire  
 "Of disappointed hope, of unallay'd desire?

Nor to the restless child of pain  
 Thy potent influence is confined;  
 Thy phantasms seize the ardent brain,  
 And sweep the tract of mind.  
 As the pale spectres cross her way,  
 Lo! RASCALRY shudders with dismay,  
 And vainly struggling to be free,  
 Flies to the grasp of Death, from Madness and from thee.

The down, where guilt inclines his head,  
 Thy ministers with thorns have strown;  
 Thou predest to the murd'rer's bed,  
 And mark'st him for thy own.  
 The daring robber trembles now,  
 The judge recounts his perjur'd vow,  
 And gasping with his latest breath,  
 Pours forth his soul to thee, a penitent in death.

When vanquish'd Reason yields her throne,  
 And bound by Superstition's chain,  
 Whence's deluded mortals gonn,  
 And sigh for hope in vain;  
 All cheerless as thy sable vest,  
 Uncertain pangs distract the breast;  
 Thy hand uprears th' enormous dart,  
 Directs its secret course, and points it to the heart.

Thy arms pervade th' convulsed air,  
 And blast that sweep the whirly sky,  
 Rob's in vindictive terror bear  
 The frowning Ditty.  
 Wing'd with his all-consuming ire,  
 Flashes the bolted lightning's fire,  
 And roars the pealing thunders loud,  
 And speak his threatning voice in each tempestuous cloud.

In the lightning's heavenly form,  
 Rends which bright emanations play,  
 Of power to rati the rustiest storm,  
 And show each cloud a day.  
 Why dwells the mind, affrighted still,  
 On Sinai's fane unshooked hill,  
 When the blast-tow'rs of Zion break  
 With softer winds of grace, and mercy's milder beam?

Caute, tyrant, cease, these pangs restrain,  
 That all-Devotion's fires control,  
 Unclasp thine adamantine chain,  
 And free the struggling soul.  
 Still may thy dreaded empire quell  
 The tributary floods of hell;  
 But through the realms of heav'n's vast star  
 To spread the venom'd gloom, and scatter darkness there.

But the dread Pow'r that rules above,  
 Instruct thy suppliant to revere;  
 And, wh! unite with fervent love,  
 Thy gentler sister, Fear.  
 Teach him to bend beneath the rod,  
 That arms the throning hand of God;  
 Kneel prostrate at his holy shrine,  
 And feed the ardent flame with frankincense divine.

Inmate Gloom! whose bigid away,  
 While'er the realms of dire affright,  
 Deforms with clouds the smile of day,  
 And veils the sleep of night;  
 O'er Innocency's sainted brow,  
 Why giv'st thou adoption just to How?  
 Why chill, that hopes to be forgiv'n,  
 The soul Robb'd from earth, and dedicate to heav'n?

In Fate's clouded hour, when doom'd to part,  
 The dreams of worldly rapture fly,  
 No more to wake the throbbing heart,  
 Or light the sinking eye;

Borne on the dark funeral gale,  
 What forms of dreadful omen sail?  
 What black'ning clouds of sulphur roll?  
 Why gapes the deep abyss to catch the parting soul?

Celestial Hope! yet deign to stay;  
 Oh! chase these visions of despair,  
 For thou canst cheer the destin'd way,  
 And plant thy roses there.  
 Bid the dire phantoms urge their flight,  
 Enshrouded in the rear of night;  
 And point to where the Seraph quire  
 Their blooming garlands twine, and sweep the golden lyre.

So when the anxious day is o'er,  
 And night's black veil is closing fast,  
 May tranquil Mem'ry yield her store,  
 And point to moments past.  
 May virtue shed, on scenes like this,  
 The balm of antedated bliss;  
 And beaming consoles through the gloom,  
 Call to the rest of death, the harbour of the tomb!

And, lo! 'tis past—in close retreat  
 Darkling they quit th' unequal strife;  
 No more the pulse forgets to beat,  
 But starts anew to life.  
 Before the saint's reclin'd eyes,  
 What beatific visions rise!  
 Around the couch of death they move,  
 Omens of brighter ecstasies, and harbingers of love.

Triumphant o'er these chilling fears,  
 And bright with majesty divine,  
 Of Heav'n's free offer'd grace appears  
 The renovating sign.  
 Radiant with beams of temper'd fire  
 Faith bids the spectral glooms retire,  
 While cherub forms innum'rous play  
 Around the sacred cross, and hymn the choral lay:

" Hail, Mortal, hail! whose constant feet  
 " In Virtue's paths have trod serene,  
 " 'Tis Heav'n that sounds thy glad retreat,  
 " And gilds the parting scene.  
 " Refin'd from mortal darkness, see  
 " Where flames on high the mystic tree;  
 " Nor will the Lord of life, whom thou  
 " With faith hast dar'd to love, disown his servant now.

" The cross, his sacred form that bore,  
 " Thy rock of adamant, behold;  
 " The crown of thorns his temples wore,  
 " To clasp thy brows with gold.  
 " The sting of agony is past,  
 " The cup of vengeance drain'd at last  
 " By Him, who ere from thralldom free,  
 " Endur'd the pains of Death to purchase Heav'n for thee!"

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## ODE TO HOPE.

[From the same.]

COME, Hope, Enchantress, come!  
 So potent to beguile,  
 Come with thy firm, unalter'd mien,  
 Soft-beaming eye, and brow serene,  
 And heav'n-directed smile.  
 Despair will flee,  
 Dire foe, from thee,  
 And smooth thy alter'd front, and raise the bended knee.

What though from harden'd guilt  
 Thy proffer'd balm be driv'n,  
 Yet Resignation all is thine,  
 Meek as she bows her at the shrine  
 Of grief-dispensing Heav'n;  
 And though of pain  
 A tear complain,  
 Yet soon the woe is past, and all is peace again.

Thou dwell'st, sweet nymph, on high,  
 Remote from worldly strife,  
 Secure within thy calm retreat,  
 Thou hear'st the storms at distance beat  
 Of sublunary life.  
 From the rude sea,  
 Of troubles free,  
 Its melancholy waves can never reach to thee!

Yet not with cold neglect  
 Thou scorn'st the suppliant's prayer—  
 The half-form'd wish, the stifled sigh,  
 To thine aerial mansion fly,  
 And find a harbour there.

O'er all our woes  
 Thy pity throws  
 Some intervals of joy, some pauses of repose.

When first to sanguine youth,  
 The opening world is shown,  
 How distance robes each future day,  
 Soft power, in thy deceptive ray,  
 And colours not its own!  
 How bright with gleams  
 Of rapture seems  
 Each unsubstantial form, that gilds the infant's dreams!

Tints of a brighter sky,  
 Ye dear illusions, stay!  
 Quit not the visionary soul,  
 That fondly quits yon mild controul,  
 Nor flee so swift away.  
 As visions of delight  
 In sleep that wing their flight,  
 Ye calm each anxious thought, and leave the heart more light.

In fate-encircled bark,  
 Tost on the stormy sea,  
 The sailor views the wat'ry waste,  
 Remembers ev'ry danger past,  
 And breathes a pray'r to thee.  
 Wide o'er the foam  
 Howe'er he roam,  
 He sees the haven nigh, and is in thought at home.

So when the trumpet of war  
 Excites each wild alarm,  
 Thou only to the drooping heart  
 Unwonted vigour canst impart,  
 And nerve the warrior's arm.  
 Through all his frame  
 Expands thy flame,  
 And points the tube of death with more unerring aim.

The captive's faded form,  
 Whom earthly cells contain,  
 Through realms of fancy roaming free,  
 In all his sorrows thinks on thee,  
 And drags an easier chain.  
 Thy rays illumine  
 The dungeon's gloom,  
 Trim Nature's wasted lamp, and cheer the lonely tomb.

Thy tender influence soothes  
 The lover's pensive mind ;  
 What though his angry fair one now  
 In clouds invest her awful brow,  
 Forgiveness lurks behind ;  
 Though long he mourn  
 Her haughty scorn,  
 Yet soon the lip shall bless, the angel smile return !

Come, Hope, enchantress, come !  
 Let the black tempest low'r,  
 Yea, why on ev'ry passing gale  
 Should forms of bodied horror sail,  
 In ev'ry cloud the show'r ?  
 Why figure ill  
 With treach'rous skill,  
 And arm the fatal dart with double force to kill ?  
 All open to our view,  
 Were Fate's dark volume laid,  
 Oh ! could we see how dire Despair  
 Beset this wilderness of care,  
 What sorrows must invade :  
 With many a sigh  
 Ere death were nigh,  
 The happiest youth would start, and only wish to die !

Then come, thy charms impart,  
 Thy magic wreaths entwine ;  
 Nor shall Truth's melancholy shade,  
 That bids each tint of falsehood fade,  
 Have pow'r to banish thine.  
 Yes, yes, deceive,  
 Whene'er I grieve,  
 Still promise comfort thou, and let me still believe !



## DOMESTIC LITERATURE.

## CHAPTER I.

## BIBLICAL AND THEOLOGICAL.

*Comprising Biblical Criticism; Theological Criticism; Sacred Miracles; Sermons and Discourses; Single Sermons; Controversial Divinity.*

**I**N the section with which we usually commence this chapter, we shall this year have but little to notice, for few years have been more barren than the current in what may be strictly called *biblical criticism*.

The first work of this description that demands our attention is entitled "*Biblia Hebraica; secundum ultimam editionem, &c.*" A new edition of Everard Van der Hooght's Hebrew Bible; by the Rev. Joseph Samuel C. F. Frey," Part I. 8vo. pp. 128, pr. 4s. 6d. large paper, pr. 6s. While the study of oriental literature is advancing amongst us with wonderful rapidity; while Persian and Arabic may be shortly expected to become almost as extensively pursued as Greek, and even Sanscrit and Chinese to make no inconsiderable progress, it is highly gratifying to us to receive annual testimonies that the language of the Old Testament is in no danger of sinking into oblivion. The first work we were called upon to notice in our last year's survey was a Hebrew Bible, without points, after the text of Kennicott, with notes of various

kinds, by Mr. Bobthroyd; who, as we then noticed, has combined in himself the two important characters of editor and printer. And our readers will now perceive that Mr. Frey is engaged upon a similar work, though upon a different plan, principally by the omission of philological and explanatory notes, but far more complicated by the introduction of accents and vowel points. It is to be completed in twelve parts, one of which is to be published in alternate months. To give the points and accents as accurately as possible, Mr. Frey has engaged several Jewish compositors to assist him, who, from their childhood, have been trained up to a familiarity with the punctuated and accented Hebrew. He has taken the text of Solomon Poops as his more immediate standard, and makes the edition of Van der Hooght conform to it; and compared with Poops, the Dutch bibliotist is said to be spotted with a great multitude of errors.

It is this last and most laborious part of the plan that we chiefly disapprove. In reality it is a misnomer to call it a new edition of Van der Hooght.

Hooght, for it is a mixt rendering of Van der Hooght and Poops; and it is highly probable that many of the alterations in the accentuation and punctuation of the text, introduced into it as *corrections* from the latter, would be regarded as *errors* by the former. Such, however, must ever be the case upon a recurrence to the old, and, as we were till now in hopes, almost exploded use of the Masr (מסר). Upon which subject we shall take leave to remark, for the benefit of the English reader, that the Hebrew Bible, in its earliest state, consistently indeed with the form of most oriental books of high antiquity, was written without any breaks or divisions in its text, into chapters, verses, or even words; every individual letter being placed at an equal distance from that which followed it throughout every separate book. And hence when breaks and divisions were first introduced, as a new scheme, it is easy to conceive what vast differences must have existed in the different copies of every transcriber who undertook to determine for himself. The Masr, or Masora, is a scheme, drawn up from tradition, that endeavoured to remedy this variety of lection, by numbering not only every chapter and section, but every verse, word, and letter, of which every book of the sacred Scriptures of the Old Testament consists; and this by the introduction either above or below of vowel points, accents and pauses. Who were the authors of this pretendedly infallible canon we know not. By many of the rabbins it is asserted to be coeval with the delivery of the law to Moses on Mount Sinai; having been communicated to him, in their opinion, at the same time; and handed down to posterior ages of the Jews by *tradition*, which in reality is the direct English of

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the term Masr. There are others, again, who assert that the system was invented in the time of Ezra; while Dr. Kennicott, and many other very excellent Hebraists, will not allow it to be older than the beginning of the ninth, and Morinus than the beginning of the tenth century of the Christian era. Be this as it may, since we are totally ignorant who first invented it, and what authority its inventor had for his own opinion rather than for that of any other ancient copy, affording a different division or punctuation, it is obvious that even from the first to its present state, the Masoretic copy must have been as open to the charge of corruption as any rival copy. But if this be true of the Masoretic text at first, and when in its own view immaculate, what ought to be our opinion of the different manuscripts and impressions of it, even the most perfect of them, which have since been circulated through the world, encumbered and perplexed with this immense burden of diacritic marks; of *regal* and *ministerial* attendants (for so the Hebrew grammarians denote their accents); of *Saheph-katons*, and *saheph-gatols*, *pashtas* and *banneparas*, *shal-shaleths*, and *mareakephalas*, and multitudes of other names equally barbarous; of which, although it requires an extensive code of laws to marshal them, and Bohlus is said to have wasted seven long years in vain effort to this purpose, neither he, nor any one else has ever been able to point out the practical use.

We have thrown out these hints, because we are sorry to find, that after all the labours of Capellus, and Kennicott, and various other excellent Hebraists to subdue the almost intractable prejudice that formerly subsisted in favour of this perplexity,

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and the success with which we had flattered ourselves their exertions had at length been crowned, we are once more threatened with being brought back to all the Masoretic trash of the rabbinical pedagogues as the only sure interpreter of the Hebrew Scripture! Surely, this is not the way to excite a general taste for the Hebrew language, or a general understanding of it: nor will the additional expense that must hereby be incurred, and which it appears will render the book incapable of being sold under two guineas and a half for the small, and three guineas for the larger copies, be a means of augmenting its circulation.

"Hebrew Criticism and Poetry; or the Patriarchal Blessing of Isaac and Jacob, metrically analyzed and translated; with appendixes of readings and interpretations of the four greater prophets, interspersed with metrical translation and composition; and with a catena of the prophecies of Balsam and Habakkuk; of the Songs of Deborah and Hannah, and of the lamentations of David over Saul, Jonathan and Abner, metrically translated: also with the table of first lessons for Sundays, paged with references. By George Somers Clarke, D. D. Vicar of Great Waltham, Essex." 8vo. pp. 440. We have given the whole of this voluminous title, as answering the purpose of a table of contents. Dr. Clarke is a critic of great courage and speculation, and we have been about equally pleased and displeased with his attempts. His preface is an extraordinary composition. With uncalled for and erroneous concession, he admits that the authors of the creeds and articles of our established church "have endeavoured to unite in one bond of religious consent, error on all hands, *for the mutual good of all*; the error of Origen, of

Jerome, and of the church of Rome with the error of Calvin, of Luther, and of Grotius—for where is human perfection?" And asserting that this has been done for the *mutual good of all*, and having become the national creed, or, in his own language, that which is *uppermost*, he calls upon sectaries of every description to accède to it; "there certainly, (says he), ought to be no quarrels on account of religion. If subscription is the law of the land, every one ought to subscribe." We have not time to point out all the errors, and evil tendencies of so wild and visionary a declaration and conclusion. From what source has Dr. Clarke ascertained that the doctrines of the Church of England have been derived from the pages and doctrines of all these various and discordant writers, rather than from the pages and doctrines of the Bible, to which they all appeal? And from what source, more especially, has this benedicted son of the church made the galling discovery that they are a compilation of the different *errors* of these different writers?—That *error of any kind* can ever be *for the good of all*;—that if it could be so, this would be a sufficient reason for subscribing to error, or that *subscription* of any kind is in fact *the law of the land*? How, moreover, the errors of Grotius, who was born towards the close of the sixteenth century, can have entered into an establishment which was commenced half a century before his birth, and completed half a century before he was of age, we must leave to some future effusion of his fancy to determine: and in the meanwhile shall content ourselves with believing in the more correct view of the Bishop of Lincoln, that "our church is not Lutheran;—it is, not Calvinistic;—it is not Arminian;—  
it

it ~~is~~ <sup>is</sup> ~~scriptural~~. It is built upon the apostles and prophets, Jesus Christ himself being the chief-corner-stone."

We pass to consider, in few words, Dr. Clarke's scheme for measuring and ascertaining Hebrew poetry. That many parts of the Old Testament were originally composed in a metrical arrangement, is now admitted by every one; but the rules of Hebrew prosody being no longer known, the nature and constitution of the metre are altogether conjectural. Dr. Lowth supplanted Bishop Hare, but did not establish any thing very satisfactory instead of the building he pulled down. Dr. Clarke is dissatisfied with Dr. Lowth, but his own theory, though ingenious, is too unsolid, and requires too many sacrifices in the common reading to have any chance of popularity or longevity. His key-stone is the parallélism of line with line; and the principles he has erected upon this basis are the following: he contends "1st, That the metrical lines of the Hebrew writers never consisted of more than four terms or words; not excepting very small ones, such as *ו* and *א*; and admitting very rarely, if ever, two words, joined together by maccaph, as one. 2dly; That such lines most commonly have only three words, which often stand by themselves, and also are not seldom intermixed with those of fours. And 3dly, That both the lines of four words and those of three are very frequently succeeded by a line of only two words joined to them; usually by the conjunction *ו*; which comprehends an understood repetition of one or more of the terms of the proposition in the immediately preceding line; and sometimes also by the force of some term in that preceding line, the repetition of which term is to be understood as introducing the

verse of two words." This last rule is subject to certain exceptions, which the writer endeavours to explain and account for. The theory is altogether hypothetical; but our chief objection to it is, that, in order to bring the received Hebrew text into conformity with it, it is necessary to suppose an almost perpetual existence of verbal errors, and to throw out many of the longer words for shorter, and many of the shorter for longer. A single example must suffice. In Jacob's blessing upon his sons, Gen. xlix. 26, it is prophesied that "Ashur shall yield royal dainties, (*delicias regis*)"; or, as Mr. Green has it "dainties for a king;" the original is *מלכותו יאכל* for this phrase is too long for Dr. Clarke's principles of Hebrew; and the consequence is, that the common reading must be incorrect, and that the short term *יאכל* should be adopted in its stead. We have not space for a critical examination of Dr. Clarke's translations; but though many of his hints are ingenious, and a few of the changes which he proposes perhaps admissible, we cannot admire the sort of taste he manifests in his version, and have very seldom been able to prefer it to that of Lowth, Blaney, Green, Dodson, Stock, or even Geddes, to say nothing of our very excellent standard rendering. There is, in our opinion, a great awkwardness, instead of an improvement upon the established lesson, in giving the particle *ו* so often the force of *even* instead of *and*; of which the following, selected at random, may serve as an example, and with which we are compelled to conclude: Dan. ix. 24.

Seventy years are the times appointed to thee,  
Concerning thy-people, *even*-concerning a city

Appropriate

Appropriated to thee; to confine each-re-  
 volver,  
 Even to complete ecstasies, even to ex-  
 pensive idleness,  
 Even to introduce an acquittal of ancient-  
 times,  
 Even to self-up vision by a prophet,  
 Even to sing most appropriate worship-  
 ers.

"The Ophion; or the Theology of the Serpent, and the Unity of God; comprehending the Customs of the most ancient people, who were instructed to apply the Sagacity of the Serpent to the fall of the Man. With critical Remarks on Dr. Adam Clarke's Annotations on that subject in the book of Genesis. By John Bellamy." 8vo, pp. 126. We have often had occasion to observe that the present race of grave philosophers and grave philologists exhibit more imagination than the present race of poets. The parties before us are additional proofs of the truth of this observation. Dr. Adam Clarke has fancied, perhaps dreamed, that the tempter of Eve, in the garden of Eden, was an animal of the spe. kind—a species of coming-outang—apparently the *Siamia Satrapa*, or *Tragodytes of Lioncus*, but whether the African variety, Bongo, or the Bornean variety Jooko, we are not sufficiently informed of. Mr. Bellamy has been struck with another fancy, and perhaps another dream, that the afore-said tempter was an animal of the heard-kind—a species of crocodile, but whether the variety of the Nile or of the Ganges, as little is satisfactorily asserted. And the former having dressed up his fable with a vast abundance of oriental etymology, in order to give it the semblance of historic fact, the latter has followed him *equis passibus*, and has even carried his speeches into oriental mythology as well as etymology; and the judgment of the public is now appealed to for a verdict, as to

which of the two learned mythists have made the nearest approximation to reality. For ourselves we shall only observe, that in the nearly equal destruction of hypothesis which each has given to the other, nothing appears to remain to us but to continue the vulgar name of *serpent*, and the vulgar system of belief, that the shape assumed by the tempter was of an ophite or serpentine appearance. We are sorry, however to remark, that in this fine-spun pursuit of truth, the latter champion should have dealt in hard blows, not merely against a system, but against a character; and that the moral accuracy of his antagonist should be called in question as well as his etymological and literary correctness.

"The Psalms Evangelized, in a continued explanation; wherein are seen the unity of divine truth, the harmony of the Old and New Testament, and the peculiar doctrines of Christianity in agreement with the experience of believers in all ages. By Richard Baker, D. D. &c." 8vo. pp. 412. The latter part of this very full title is not expressed with much perspicuity: "the doctrines of Christianity are not to be sought for in the experience of believers, but in the written word of God; and the greater number of the peculiar doctrines of Christianity, are not subjects of experience but of pure faith." For the rest the intention of the author is highly praiseworthy, but a right execution of it requires a degree of discernment and penetration, which falls to the lot of few, perhaps, strictly speaking, of no man; and which certainly has not always fallen to the lot of Dr. Baker. A mode of composing poetry possessing two distinct meanings, a direct and figurative, or an exoteric and esoteric, is the same art

was called when practised by the philosophers, has been common to eastern nations in all ages; the Indian theists of the Vedanta school communicated it equally to the Orphic poets, and the old academics of Greece, and to the ancient Hushangis, and modern Sufis of Persia. The *Gitogavinda*, or Songs of Jayadeva, are expressly of this description, as are also the "Loves of Laili and Majnun"—whether that of Nizami or of his elegant rival. Both these subjects indeed have a striking resemblance to the very exquisite "Song of Songs"—and are admitted in the *Maanavi* to be descriptive, in their figurative or mysterious meaning, of the union of the human soul with the divine spirit. It is possible that Hafiz has occasionally attempted something of the same kind—for with him also Laili appears in many instances to import the omnipresent spirit of God. But it is a difficult matter, even for a Sufi himself, to determine in every case where the spiritual sense begins or is connected with the corporeal, and where it ought to be understood in a corporeal view alone.

It is not therefore to be wondered at that the poets of Judea should have indulged in the same sublime and mystical taste: sometimes weaving a spiritual allegory into a temporal narrative, and sometimes when soaring upon bolder wings, and drawing direct inspiration from "Sion hill," and "Siloa's brook," making personal incidents the vehicle of sacred prophecy. That this was the case, in a variety of instances, with the holy psalmist, is unquestionable, from the references which are distinctly made to particular passages of the Psalms by our Saviour and his disciples, and which are thus directly explained. But that the *whole*, or nearly the whole of the

psalms are imbued with the same double sense, is more, we presume, than any man ought to assert, till he has given evident proof of his being expressly inspired to make such an assertion. Yet, if it be doubtful whether the book of psalms, except in the cases actually referred to in the New Testament, contain any secondary import at all; it must be still more doubtful as to the secondary import itself, and of extreme difficulty and delicacy to suggest a specific interpretation. Dr. Hakez may have *evangelised* correctly in various instances, for any thing we know to the contrary; for we have no key to lead us forward; but he has certainly applied several of them, as the fifty-first for example, to our Saviour, which are in a multitude of respects adverse to the spotless purity of his character.

"Remarks on the Version of the New Testament, lately edited by the Unitarians. By the Rev. Edward Nares, M. A. &c." 8vo: pp. 286: The version of the New Testament here referred to, and by the editors entitled "an improved version" upon the basis of Archbishop Newcombe's new translation, was noticed by us in the department of Domestic Literature for 1809. The strictures before us form a close and curious inquiry into the nature of this work, and the propriety of its being self-denominated an *improved* version. The style is inelegant and tautological; but the argument is admirably supported;—drawn from the best authorities, comprehensive in its scope, keen in its pursuit, and successful in its conclusion. It is moreover conducted with a liberality which always charms us when we meet with it, and which we have seldom or never seen exceeded. We lament extremely that we are incapable of following up this very studious

studious and recondite indagation through the whole of its discursive range. It is, however, the less necessary, as we have been given to understand that a very considerable number of the Unitarians themselves are by no means satisfied with the work it exposes, and admit that the present *improvement* calls for other improvements of various kinds to render it correct.

Mr. Nares justly objects to the act of making a stalking-horse of the venerable name of Newcombe, in order to introduce it with a better grace before the public. "It has in fact, (observes he), no determinate basis or standard." Its deviations from Newcombe, whom it professes to take as its general guide, are not less than 750; and those from Griesbach's second edition, which it also appeals to as an authority of the utmost weight, as well as those from the received version, are also very numerous. Many of these are pointed out in notes at the foot of the page; but a great number "not duly noticed or pointed out to the reader as they ought to be" are candidly and with much literary labour exhibited by an Unitarian Reviewer in the Monthly Repository for March, April, July and October, 1809; who at the same time regrets that neither Griesbach nor Wetstein, nor Mills, nor Wells, nor Newcombe, nor the received version, nor in fact any standard text has been adhered to; allowing that in consequence of this desultory mode of selection they are open to the powerful charge of altering the scriptures to suit their own purpose. Mr. Nares justly reprehends the act of printing in italics, and thus putting a strong mark of suspicion upon the narrative, from ch. i. 16 to the end of ch. ii. of St. Matthew; and from ch. i. 4 to end of ch. ii. of St.

Luke: and very satisfactorily points out the slenderness of the testimony appealed to in opposition to their genuineness; the strength of the testimony in favour of the same; and the sophistry exercised by the editors in their endeavour to avail themselves of the former: in various parts of which they endeavour to prove too much for their own purpose. Thus especially; "if the account," say they, "be true, (namely, that our Saviour was born at Bethlehem, according to both the above Scripture narratives) the proper name of Jesus, according to the uniform custom of the Jews, would have been "Jesus of Bethlehem," not "Jesus of Nazareth." Upon which Mr. Nares observes, first that the uniform custom of the Jews would by no means necessarily demand the former appellation; and secondly that by thus insisting upon it that our Saviour was *not* born at Bethlehem, the editors give a plain declaration that he was in no respect the Messiah: for it appears, says he, to have been generally held that Messiah should not only "come of the seed of David, but out of the town of Bethlehem, where David was," as it is expressed John vii. 42, with reference, no doubt, to Micah v. 2, which the Chaldee paraphrast expressly applies also to the Messiah. In the prosecution of this critical and well-conducted examination, we object to Mr. Nares's substitution of *Angelus Redemptor*, or *Angel of the Covenant*, for the simple and expressive term *Word* in the opening of St. John, and for which the Unitarians have substituted *wisdom*, as though *λογος* and *σοφια* were synonymous terms, than which no idea can be more absurd: for if they were so, then מִלְכָּם (the common term for *wisdom* in the Hebrew Scriptures) would be indiscriminately rendered by both these terms in the Septuagint.

Septuagint. This, however, is so far from being the fact, that although *παρα* occurs not less than a hundred and thirty-five times, it is uniformly rendered *σφοδρα*, and never once *λαγος*. We chiefly object, however, in the present very excellent piece of criticism to the author's calling in to his assistance the fanciful power of the Greek article. His argument is in no want of hypothetical support, and degrades itself by having recourse to it.

"Discursive Considerations on the Hypothesis of Dr. Macnigh and others, that St. Luke's Gospel was the first written. By a Country Clergyman." 8vo. pp. 180. It is conceived by Dr. McKnight, that from the manner in which St. Luke opens his gospel, evidently importing that his friend or patron Theophilus was not at that time in possession of a good history of the words and works of our Saviour,—and more especially from his taking no notice of any one of the other gospels, that St. Luke's must have been first of the four established narrations in the order of time. But upon this theory it has been asked, by way of retort, whence comes it, if St. Luke's were the first gospel written and published in the order of time, that St. Luke's narrative is not referred to by any of the other evangelists? The object of the country clergyman is to solve this difficulty, by averring that it is referred to by St. Matthew in ch. ii. 1.. "Now when Jesus was born in Bethlehem of Judea, in the days of Herod the king;" this passage, in the writer's opinion, having a *palpable* reference to Luke i. 5. It may be so—but for ourselves we have not been capable of detecting this reference, *palpable* as we are told it is, by the very best tests we have been able to apply.

"A Dissertation on the prophecy

contained in Daniel ix. 24—27, &c. by the Rev. George Stanley Faber, B. D." 8vo. pp. 435. Mr. Faber is dissatisfied with the calculations of former commentators upon the prophecy of the seventy weeks, which are generally acknowledged to be *weeks of years*; and disagreeing with Scaliger, Mede, Sir Isaac Newton, Prideaux, Cornelius a Lapide, Blayney, and others, contends that the years to be accepted are solar instead of lunar; and that there were only three decrees, and not four, as some have supposed, for the rebuilding of Jerusalem. There is certainly some difficulty in the usual interpretation, but we cannot perceive that the passage is much enlightened either by Mr. Faber's new version or new explanation of it.

"A Course of Lectures, containing a description and systematic arrangement of the several branches of divinity; accompanied with an account both of the principal authors, and of the progress which has been made, at different periods, in theological learning. By Herbert Marsh, D. D. &c. Part II." 8vo. pp. 154. We noticed the first part of this very excellent work in a preceding volume. The part before us consists of six lectures, devoted to a critical inquiry into the nature of the Hebrew and Chaldee text of the Old Testament, and the Greek text of the New; the latter continued from the publication of the Elzivir edition of 1624 to that of the second edition of Griesbach: so that the critical history of the Bible is now rendered complete. The Margaret Professor very ably supports the character and very justly appreciates the merits of Walton and of Mills; and with somewhat restrained indignation animadverts on the violent and unfounded opposition of Owen



to the former, and of Whitby to the latter. He particularly details the controversy between Bishop Walton, Capellus and Morinus, on the one side, and the two Buxtorfs on the other, concerning the Chaldee and Samaritan characters, the antiquity of the points, and the integrity of the Masoretic text: we are pleased to find that he strongly inclines to the simplicity of the *Critica Sacra*, although he allows some kind of authority to the *Maiores*. In his ninth lecture Dr. Marsh adverts to the best authors who have given any account of the various editions of the Greek Testament; and examines at some length the three great sources of various readings, manuscripts, ancient versions, and occasional citations in the writings of the Greek and Latin fathers. He very justly discommends all conjectural emendations, unsupported by collateral authorities: and in his account of the different editions of the Greek text shews himself fully alive to the indefatigable exertions, and correct judgment of Dr. Griesbach.

Having spoken of the immense mass of *critical materials*, which this unwearied investigator had at length accumulated, he proceeds to remark, that "there is a question, however, in reserve, of still greater consequence than the extent or even the value of the critical materials; and that is, have these materials been *properly* applied to the emendation of the Greek text? That they were *conscientiously* applied is admitted by every man to whom Griesbach's character is known. His scrupulous integrity, as a man and as a scholar, is a sufficient guarantee for the honest application of them. Nor have his contemporaries ever questioned his learning or his judgment, if we except Matthew,

who wrote under the influence of personal animosity. That Griesbach has fulfilled the duties which, in these respects he owed to the public; that his diligence was unremitted; that his caution was extreme; that his erudition was profound, and that his judgment was directed by a sole regard to the evidence before him, will, in general, be allowed by those who have studied his edition; and are able to appreciate its merits. That his decisions are *always* correct; that, in *small cases*, his evidence is so nicely weighed as to produce unerring results; that weariness of mind under painful investigation has *in no instance* occasioned an important oversight; that prejudice or partiality has *no whole* influenced his general regard for critical justice, would be affirmations which can hardly apply to any editor, however good or great. But if at any time he has erred, he has at the same time enabled those who are competent judges to decide for themselves, by stating the contesting evidence with clearness and precision. Emendation founded on conjecture, however ingenious, he has introduced not in a single instance: they are all founded on quoted authority. Our attention is even solicited and directed to that authority."

"Christian Researches in Asia, with Notices of the Translations of the Scriptures into the Oriental Languages. By the Rev. Claudius Buchanan; D. D. &c." 8vo. pp. 269. This is one of the most instructive, as well as one of the most interesting volumes which the whole literature of the year has presented to us. It opens, in a great degree, a new world to us, and presents a spirited descriptions the personal observations of the writer. The subjects and narratives are all of them highly

highly important, though almost infinitely diversified in their nature. The very excellent writer unfolds to us the pleasing hope of a speedy diffusion of the Bible; in all the numerous tongues of Asia; over the vast extent of this most populous division of the globe. He gives us an account of multitudes of discreet nations and casts, who to his own knowledge have become sincere and permanent converts to the Christian faith, and this without having incurred all the temporal ruin and abandonment by their brethren of the same casts, which has been so confidently asserted by many writers who have had nothing but confidence to support them:—he narrates the history of Asiatic Jews, and Syriac Christians, who have existed in a state of great simplicity and insulation from all other Jews and Christians, almost from the commencement of the Christian era—and contrasts these pleasing pictures with most terrific descriptions of the barbarous and bloody superstitions of Juggernaut, and the more silent, but equally revolting cruelties of the Inquisition at Goa. We have copied largely from this valuable work into another department of our Register; and hence, without further enlarging upon it in the present place, shall refer our readers to the extracts they will there find introduced.

“Practical Piety, or the Influence of the religion of the heart on the conduct of the life. By Hannah More.” 2 vols. 8vo. about pp. 560. The style and talents of the very excellent author of this very excellent work, are too well known to the world to render any critical discussion concerning them necessary, even had we time. The subjects of instruction are the following, which are treated of in so many distinct chapters: I. Christianity, an internal

principle. II. Christianity, a practical principle. III. Mistakes in religion. IV. Periodical religion. V. Prayer. VI. Cultivation of a devotional spirit. VII. The Love of God. VIII. The hand of God to be acknowledged in the daily circumstances of life. IX. Christianity universal in its requisitions. X. Christian holiness. XI. On the comparatively small faults and virtues. XII. Self-Examination. XIII. Self-Love. XIV. The conduct of Christians in their intercourse with the irreligious. XV. On the propriety of introducing religion into general conversation. XVI. Christian Watchfulness. XVII. True and false zeal. XVIII. Insensibility to eternal things. XIX. Happy deaths. XX. The sufferings of good men. XXI. The temper and conduct of Christians in sickness and in death. Throughout the whole of these subjects the religion inculcated is of the chastest and most extensive nature; it is a picture drawn rather, we are afraid, by way of example, than of actual practice. It is indeed the duty of every one, to transcribe it into his life, as far as his situation will allow: yet a general copy is perhaps rather to be hoped for than expected. As we have given a specimen of Miss More’s method of reasoning in the volumes before us, in another department of this year’s Register, we shall take our leave of her for the present.

“Sacred Meditations and Devotional Hymns, &c. By a Layman.” 8vo. pp. 301. These prose and poetic essays discover a serious and well-regulated mind. The writer however has less power of rhyme than of reason: for though we have often been pleased with the tenor of his prosaic arguments, we cannot compliment him upon his acquaintance with the muse. W

We now pass on to the Sermons for the current year, both collective and single. The former have not been numerous, nor, generally speaking, indicative of any very striking or pre-eminent talent. To this last remark, however, there is one brilliant exception—unhappily for the world, a posthumous exception. We allude to “Sermons by Samuel Horsley, L.L.D. F.R.S. &c. late Lord Bishop of St. Asaph.” 2 vols. 8vo. It would give us no small pleasure to extract from this strong and striking expounder of the scriptures, specimens of the great and varied abilities with which these volumes abound; but our limits will not allow us. We have only, indeed, space to add that they consist of twenty-nine discourses, of which not more than six appear to have been previously before the public: five of which, observes the editor (the Rev. H. Horsley, of Dundee, son of the Bishop) “are inserted in these volumes, at the request of a prelate, to whose opinion the editor pays the most implicit reverence; and the sixth “The Holy Ones, and the Watchers,” he was induced to reprint, by the circumstance of its being the last ever composed by his revered father.” Taking these discourses in an aggregate view, we cannot avoid observing, that in native energy and perspicuity of style, in comprehensiveness of judgment, in force of argument, and manliness of meeting and discussing difficulties, we know of little that can be compared with them in our own times. They are worthy to take their stand on the same shelf with Hooker, Barrow, Butler, and Hurd. We cannot avoid noticing, before we quit this article, and we are confident our readers will be obliged to us for the information; that it appears by Mr. Horsley’s advertisement,

that the remainder of “his father’s papers have been submitted to the inspection of the prelate already alluded to; and that in that prelate’s opinion, they contain a mass of more important biblical criticism, and research, than has for many years made its appearance from the press. Among this body of divinity, is a translation of the book of Psalms, accompanied with notes critical and explanatory, — a treatise, accompanied with notes, on the Pentateuch, and on the historical books of the Old Testament, — a treatise on the prophets, containing notes on Isaiah, Jeremiah, Ezekiel, (Hosea already published) Joel, Amos, Obadiah. These are all, *just* in a state perfectly ready for publication; and it is the editor’s wish to print the work on the Psalms immediately.” This last work, we are afterwards told, will alone extend to two quarto volumes; and as from its being rather calculated for the theological scholar, than for the general reader, a rapid sale is not to be expected, the editor will not feel himself justified in plunging into the necessary expense till a hundred names are subscribed as purchasers. No mathematical papers of consequence were found among the bishop’s notes; but he had almost completed a life of Sir Isaac Newton, which the editor intends, on some future occasion to prefix, (as his right reverend father designed it should be) to his edition of the Principia. The following passage, we perused with many a melancholy reflection, “the editor embraces this opportunity of publicly expressing the gratitude due from him to the creditors of the deceased, and to the gentleman, who, upon the bishop’s demise, acted as administrator to his affairs: for, to the liberality of the former, and the exertions of the latter

latter, he is indebted for the possession of these valuable manuscripts."

We may here briefly mention that Mr. Hodgson, who, as we shall have occasion to notice presently, has published a life of another deceased prelate, the late very excellent Bishop of London, has also re-edited an entire copy of his writings; but as we do not find any original matter of material consequence introduced into this edition, we must content ourselves with this cursory notice.

"Short Sermons on important subjects. By J. Edmondson." 8vo. pp. 446. The author asserts that in a course of four and twenty years in the ministry "he has always found short sermons both more useful and more acceptable than long ones;" and adds, that those now presented, though short, contain the substance of many of greater length. It is not the *exact* recommendation we could have wished; but we are bound to admit that, so far as they go, they are serious and interesting discourses, generally evincing a considerable degree of zeal, and in various passages much animation of style.

"Short Discourses to be read in families. By William Jay. Vol. III." 8vo. pp. 474. It should seem that sermon-writing had its fashionable terms as well as other sciences, and that *short* is one of them. There is the same seriousness, the same colloquiality, the same personal application to particular characters in this volume, which have so strongly marked the preceding of the same writer. They are designed rather for popularity than longevity, and what they are designed for they will obtain.

"Sermons on Select Subjects. By Charles Buck." 8vo. pp. 326.

"Sermons on Select Subjects. By John Hyatt." 8vo. pp. 369. Why either of these sets of sermons are dignified by the term *select* we know not, unless for the reason urged in the preceding article, that this also is a fashionable word in the sermon vocabulary for the year. The subjects in both are as general and common as can well be, and the diction is often a little below what is general and common, especially in Mr. Buck's volume. For the rest we may observe, that the former set is distinguished as forming a series of Calvinistic doctrine, and the latter, as forming a *medley* of doctrines, that have nothing more than the most ordinary connection with each other.

"Sermons. I. On the death of faithful Ministers. II. On Wars and Revolutions. III. To the aged. By George Lawson, D. D. Minister of the Gospel, Selkirk." pp. 367. This title, long as it is, does not let us into the whole of the contents of the work before us: for while it seems to intimate that it contains not more than *three* sermons, it in reality contains *fifteen*. These, however, if *shortness* be one of the chief commendations of the day, are as much entitled to approbation, and we believe somewhat more so, than any we have yet noticed. Dr. Lawson, nevertheless, has other and more substantial recommendations: he is serious, original, acute, animated, and often eloquent.

Among the single sermons of the year we have many that are entitled to a very high degree of attention. The following are those most worthy of notice.

"Grounds of Union between the churches of England and Rome considered in a Charge delivered to the Clergy of the Diocese of Durham, at the ordinary visitation of that diocese in the year 1809, by Shute, Bishop of

of Durham." This address breathes the genuine spirit of peace and charity. The Right Rev. Prelate conceives, and probably correctly, that the minds of great numbers of the Catholics of the present day contemplate with abhorrence much of the abominable zeal, and several of the abominable errors of their forefathers; and hence hopes that the change which has thus auspiciously commenced, may be extended to other points; and that being led to contemplate with equal abhorrence the idolatry of deifying and worshipping the consecrated elements; the sacrilege of suppressing half the eucharist; the blasphemy of invoking angels and saints; and the impiety of denying the sufficiency of our Saviour's sacrifice once offered—a very auspicious opening may be made for that long desired measure of Catholic union between the two churches "which formerly engaged the talents and anxious wishes of some of the best and ablest members of both communions." We shall cordially hail such an event, let it come when it may—but our expectations are somewhat less sanguine at present than those of this very benevolent prelate.

"A Charge delivered to the Clergy of the Diocese of London, by John Lord Bishop of that Diocese, at his primary visitation of 1810. Published at the request of the clergy." Notwithstanding the last clause in this title, we are given to understand, that the present is not a very favourite charge with the clergy of any diocese, and least so of his lordship's own. It was not indeed to be expected that the learned body who had for so long a period been accustomed to the conciliating liberal and polished language of the late excellent prelate, should be equally pleased with the warlike

note, and excommunication, of his predecessor. That the church is surrounded by adherents of a very doubtful cast, who are one day dissenters from its proscribed forms, and the next rigid observers of them—thus apparently "halting between two opinions," is notorious to all the world. Dr. Porteus, indeed, was as sensible of this, as the author of the charge before us; and it now remains to be seen whether this incongruity of spirit is best to be destroyed by being won over through the conciliatory efforts of the former, or flagellated by the *discipline* of the latter. We are somewhat surprised, that so fair an opportunity and so inviting a cause having presented itself, there is no eulogy offered to the memory of a man, who, in spite of the dumbness of the charge, was, during its delivery, involuntarily eulogized in the heart of every hearer.

"The Harmony of Religion and Civil Polity. A Sermon preached in the parish church of St. Dunstan in the West, March 20, 1811, being the day appointed for a general fast. By Richard Lloyd, A. B., Vicar. Third Edition." The general merits of this discourse entitle it to the extensive sale which the close of the title announces it to have obtained. The text is 1 Pet. ii. 17. "Fear God: honour the King." The politician may touch upon the second clause alone: "the divine is most in character," when he touches upon it as issuing from the first, and such is the order of the sermon before us. We have never seen the subject better maintained, or the argument more fairly conducted. He who practices the former precept, cannot but do the latter with a mind properly prepared for its steadfast import. The following brief extract gives the general hinge of the whole.

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"There is no power but of God; all power in heaven and earth is dependent upon him and an emanation from him.—Although civil authority in its particular forms of government, in its limitations, and in the election of persons to govern, is a human ordinance, yet, in respect to its origin it is an ordinance of God; and for his sake we are commanded to submit. We readily concede that the present sovereigns of the earth are not in a literal sense *the Lord's anointed*, as the Jewish kings were under their theocracy; we admit that they receive no such express designation to the regal office; but whilst we at once abandon the antiquated notion that any potentates now reign by an *indefeasible, divine title*, founded in any immediate or implied nomination of them on the part of God, we still maintain that the *original* of the prince's power is *divine*: however various its modifications, depending on numberless circumstances, it is a portion of God's power. The Supreme Sovereign and Legislator of the Universe must, therefore, be discerned and recognized in the temporal magistrate. We must obey him *as the minister of God*. We must consider *whose commission* he bears, and with *whose authority* he is clothed: if we neglect to do this, we not only debase the earthly ruler, but insult him "by whom kings reign and princes decree justice."

A Sermon preached at the parish church of St. Andrew by the Wardrobe and St. Ann, Blackfriars, June 14, 1811, before the Society for Missions to Africa and the East, instituted by members of the Established Church, being their eleventh anniversary. By the Rev. Melville Horn, late Chaplain to the Colony of Sierra Leone. The text is Phil. iv. 12. "We can do all things through Christ which strengtheneth

us." We are sorry to find, from the very animated and exhortatory address before us, that this is a *strength* which the members of the Established Church do not seem to have tried or even applied for: and it is, rather to exhort his clerical brethren, to this noble and evangelical undertaking, than to stimulate the laity to pecuniary assistance, in which we are told they have ably borne their part, that the preacher directs his attention. "Sorry am I to say, that the clergy, and the clergy alone, decline the cross. We claim the palm—oh, why will we not deserve it? In the midst of judgment and mercy, while war shakes our coasts, shall we recline indolently under our vines and fig-trees, and bid our Lord extend his kingdom how, and by whom he will? In comparison of this defeat itself were victory. The church, while lamenting their defeat, would magnanimously console her vanquished missionaries, and would renew the war with redoubled zeal and better hopes. But when not one clergyman will arm in the cause of his Redeemer, what is to be said? The fact is, I believe, unparalleled in the annals of the church. That it is a fact I appeal to this association, and ask, "have you, my honoured brethren, in Africa, or in the East, *one English clergyman who serves as a missionary?*" There is a warm and animated eloquence running through this discourse which does great credit to the author's head and heart. The style however is somewhat too declamatory, and there is a reference to classical history and imagery which occasionally borders on affectation.

"The Adoration of our Lord Jesus Christ, vindicated from the Charge of Idolatry: a discourse delivered at the Gravel-Pit Meeting, Hackney. By John Pye Smith, D. D." A learned

learned, candid, and well-conducted argument, in favour of the doctrine announced in the title, constituting part of a course of theological lectures which Dr. Smith appears to be giving to his congregation; and worthy of being published at their request.

"Gratitude to God for National Mercies. A Sermon preached Nov. 18, 1810. By Robert Young, D. D. Minister of the Scotch Church, London Wall: being the day set apart by authority, for the public acknowledgment of the Divine goodness in the abundance of the harvest." The preacher takes a just view of the causes of our thankfulness, as they are found in the palace, the temple, and the field; ably expatiates upon them, and draws various correct and forcible inferences.

The controversial publications of the year, either directly or collectively theological, have been numerous, and addressed to numerous subjects. We can only glance at the chief of them.

The first we shall notice relates to the tenets of Calvinism. Bishop Tomline of Lincoln has published in an octavo volume, "A Refutation of Calvinism;" in which his object is to explain the doctrines of original sin, grace, regeneration, justification and universal redemption; and to prove that the tenets maintained by Calvin upon these points are contrary to Scripture, to the writings of the ancient fathers of the Christian church, and to the public formularies of the Church of England." There are so many disputes upon other points among different classes of Christians at present, that we cannot see the great utility of stirring up a question that has been long sinking into oblivion, and that is comparatively assented to we believe by few persons of our own day. So far as the learned prelate has

gone he appears very sufficiently to have succeeded. But if he have not gone far enough to make many converts, he has gone quite far enough to excite a host of opponents. Amongst the most prominent of these are Mr. Scott, Rector of Aston Sandford, who has published two volumes of "Remarks" on the Bishop of Lincoln's "Refutation;" and Dr. Williams, who, in one volume octavo, has just advertised "A Defence of Modern Calvinism, being an Examination of the Bishop of Lincoln's work." The first of these gives himself very little trouble with Dr. Tomline's assertion, that the tenets of the Calvinistic school are contrary to the writings of the ancient fathers of the Christian church, for he avowedly disclaims their authority: "We appeal, says he, from fallible fathers and councils to the infallible apostles:" so that as far as relates to Mr. Scott, the learned prelate might have saved himself the turmoil of delving into some hundreds of dusty and obsolete volumes. Dr. Williams however follows him up with somewhat more spirit: he asserts, that of the different quotations from the fathers, some have no bearing on the points in question; some militate against the bishop's avowed principles; and some are unscriptural both in language and sentiment; and he accuses his lordship himself of inconsistency in his acknowledged sentiments as well as in his quotations. Perhaps the principal error consists in ascribing to the great body of modern Calvinists, the whole of the tenets which were maintained by Calvin himself, several of which have been rejected by the greater part of them as dangerous, and irreconcilable with holy writ. The inconsistency however lies, in our judgment, wholly with themselves, in continuing the name of Calvinists, while they abjure the most

most obvious of Calvin's notions; and in adhering to his first principles while they run away from the consequences which fairly and legitimately follow from them.

The next controversy belonging to this class which we have to notice, is that which has taken place between the supporters of Dr. Bell's and of Mr. Lancaster's systems of national education: the chief publications in favour of the former of which are Dr. Marsh's Sermon preached at St. Paul's, June 13, on the annual meeting of the children of the Charity Schools about London; and Mr. Prebendary Bowyer's Charge delivered to the Clergy of the Officialty of the Dean and Chapter of Durham, April 23, and May 12. The chief in favour of the latter are the reports published by Mr. Lancaster's Committee, and printed at the Royal Free-School Press, Southwark. Both are now very largely patronized throughout the kingdom; the former under the title of the "National System of Education," and the latter under that of Mr. Lancaster's own name. The chief defect in Mr. Lancaster's system is that of giving to youth the rudiments of education without directing it to any specific, moral, or religious object, leaving it, with what we cannot but regard as a mischievous wildness of speculation, to the youths themselves, thus endangered with "little learning" to choose their systems and their principles as future chance may direct them. We may be told that this system makes a point of putting the Bible into their hands as their *chief* or only *school-book*, and that it abstains, through motives of the purest liberality, from connecting it with any other book, lest an undue bias should be given to the mind in favour of one set of tenets rather than of another. But the Bible alone

can no more make a Christian of a schoolboy, than the statutes at large could make a statesman of him. The Bible ought never to be promulgated as a *mere* school-book: it cannot become common and dog-eared, without sinking in solemnity and veneration; and the boy who is in the habit of being punished over it, or seeing others punished over it, as their daily lesson, is more likely to acquire a hatred than a love for it. The Bible is a book that all sects and parties appeal to—the most artful and visionary as well as the most correct; and the little knowledge of it a school-boy can thus pick up, will be just sufficient, and no more, to make him the prey of whatever party he may fall into, for he will be equally prepared for all. We make these remarks under the postulate that there was no *established* religion in the nation, forming a part of its political constitution: but as this postulate cannot be maintained—as there is no *established* and *national* religion, the incongruity of applying to the nation as a *body*, to support a system of national instruction unconnected with the national faith, is augmented in a ten-fold degree, and must be obvious to every one as soon as pointed out.

The remaining theological controversies that have chiefly distinguished the year are the continued disputes concerning the Bible Society; that concerning religious toleration, in consequence of Lord Sidmouth's bill; that concerning Catholic Emancipation; and that concerning the conversion of the Jews. All these however are still in an unfinished state; and we shall have an opportunity of considering them more fully in our volume for the next year.



## CHAPTER II.

## PHYSICAL AND MATHEMATICAL.

*Comprehending Medicine and Surgery, Physiology, Mineralogy, Chemistry, Agriculture, Experimental Philosophy, Mechanics, Mathematics, Architecture.*

WE shall commence this chapter, as usual, with the surgical and medical publications of the year.

"Surgical Observations on injuries of the Head, and on Miscellaneous Subjects, by John Abernethy, F. R. S." 8vo. We have here once more the observations of the disciple and successor of Mr. Pott, whose name will not readily be forgotten throughout any part of Europe.—Profiting, however, by the experience of his celebrated preceptor, Mr. Abernethy has, upon the subject before us, adopted a decidedly opposite practice, and here openly protests against the frequent and indiscriminate use of the trephine. Mr. Pott trepanned in all cases of fracture of the skull, and very generally in other injuries of the head; the principle upon which he acted being of a very comprehensive nature. If the symptoms indicated pressure upon the brain from a depression of the fractured bone, from the extravasation of blood, or the effusion of pus, his object in removing a piece of bone was clear: but even in the absence of any of these accidents, he had recourse to the trephine, as a preventative of bad symptoms. This practice was, till of late years, universally adopted both in our own country and abroad, and even now meets with many apologists for it in this metropolis, and still more out of it. It must

nevertheless, be owned that, upon the whole, we are much improved since the time of Mr. Pott, and few practitioners, even of the old school, would now-a-days think of boring the skull, when fractured without depression, under the absurd pretext of allowing space for the inflammatory expansion of the brain.

The question, if it deserve the name, is, whether every depression necessarily requires elevation? Many agree with Mr. Pott, that in all these the trephine is indispensable; while others with Mr. Abernethy, Mr. J. Bell, and M. Desault, contend that depression is not a sufficient indication to warrant the application of that instrument. Several cases are contained in the volume before us, which, together with those to be met with in Bell's and Desault's works, afford ample proof that depression may exist even to a considerable degree, without its being necessary to trephine; and which are likewise sufficient to enforce the propriety of employing boldly the antiphlogistic regimen in external injuries of the head. This treatment is almost always necessary to combat the inflammation of the brain, which is generally the consequence of the injury, and as might be proved by referring to Mr. Abernethy's and Desault's cases, where the inflammatory symptoms, the effects of concussion, have been thus

thus removed, the patient will get well, and no inconvenience ensue from the depression. But though this is generally the case, it does at times happen, that the pressure on the brain, by a depressed portion of bone, may render its elevation necessary. "If, as Mr. Abernethy observes, from a peculiar disposition of the brain to be affected by pressure, the torpor of that organ should continue; or if, after inflammation of the brain has taken place, the pressure should then appear to be particularly injurious, the elevation of the bone ought not, I think, to be deferred." And he further observes, on the authority of cases recorded by Mr. O'Halloran, "It appears that this operation, if not too long delayed, will give effectual relief under such circumstances."

"In the generality of cases of injury done to the head, (observes the author,) the symptoms of concussion, compression and inflammation are so combined as to appear inexplicable. It is only by an attention to those rare cases, in which the symptoms of each appear distinctly, that we are likely to increase our knowledge of their specific effects." In cases of concussion, Mr. Abernethy reprobates the use of stimulating medicines employed by many practitioners to recall the patient from the state of insensibility in which he lies; judiciously observing that "the circumstance of the brain having so far recovered its powers as to carry on the animal functions in a degree sufficient to maintain life, is surely a strong argument that it will continue to do so, without the aid of such means, which tend to exhaust parts already weakened, by the violent action which they induce."

We very reluctantly pass over the observations on those parts of dis-

eased bones which require the trepan: they are peculiarly interesting, as the subject is still new, or at least has not been sufficiently attended to by English writers, but we have already more than exhausted our proper limits, and must refer to the original itself.

We are indebted to the same ingenious and indefatigable author, for an octavo volume entitled "Surgical Observations on tumours, and on lumbar abscesses:" in which Mr. Abernethy ventures to give a kind of new classification of tumours, and then treats of the most prominent of them separately. His volume concludes the series of the author's "Observations," and constitutes a very valuable addition to the circle of surgical knowledge.

"A Treatise on Surgical Anatomy, Part I. By Abraham Collis, one of the Professors of Anatomy and Surgery, in the Royal College of Surgeons in Ireland, &c." 8vo. Mr. Collis recommends to his pupils, for whose use chiefly, as we suppose, this treatise is compiled, a good classical education as an introductory accomplishment. "You may perhaps," (observes he) think that if the time required for the general studies were devoted to the pursuit of your own particular profession, it would be more wisely and profitably employed; but his opinion is equally narrow and unfounded, for be assured that no man can know his own profession perfectly, who knows nothing else: and that he who aspires to eminence in any particular science, must first acquire the habit of philosophizing on matters of science in general." We approve of this recommendation so powerfully, that in the perusal of the work before us, we have had several times to wish, that the author had followed it up more fully in his own particular case,

case, and once or twice to suspect, that he has given it under a feeling of its importance from his own deficiency. As it is, we are therefore more inclined to think the author a good lecturer and public instructor, than a good writer. His professional situation appears to have qualified him to teach, but it has not equally qualified him to write.

"A Letter to Dr. Jones on the Composition of the Eau Medicinale d'Husson. By James Moore, Member of the Royal College of Surgeons, &c." 8vo.

"A Treatise on the Gout: containing the opinions of the most celebrated ancient and modern physicians on that disease: and observations on the Eau Medicinale. By John Ring, Member of the Royal College of Surgeons, &c."

The professed object of the first of these pamphlets, is to detect the ingredients that enter into the celebrated patent medicine in question. Judging from the smell, effects, and colour, Mr. Moore has advanced with some confidence, that it is a mixture of vinous infusion of white hellebore, with a certain quantity of Sydenham's laudanum. And having tried various proportions of these medicines, he conceives he has at last hit upon the proper ratios, and has boldly and successfully, and with the common effect of the Eau Medicinale, employed it on various occasions in his private practice. We cannot say we have pursued a similar plan: for we have never been able to give it, in any proportion, so near an appearance to that of Husson's Eau, as to persuade us that the discovery has been accomplished.

Mr. Ring's Treatise is of a different kind; and is chiefly directed to guard the country against the use of this nostrum from a long list of its un-

favourable, and in one or two instances even fatal effects. The rest of the work consists of a concentrated account of the doctrines advanced by numerous writers, ancient and modern, in regard to the cause and treatment of gout. The general inference from all which is, "that when the gout is only palliated, and not totally eradicated, from the constitution, the fault is not always in the practitioner, or in the disorder, but in the patient. In remarking upon Mr. Moore's analytical observations, the author mentions that he has exhibited the vinous tincture of hellebore alone, as well as with laudanum, and prefers it in the former state. In one case, (says he) half a drachm of the tincture of white hellebore, administered in a draught, without laudanum, caused a slight nausea, and produced five loose stools, followed by a considerable alleviation of the complaint: and by gradually diminishing the dose, and taking it as a gentle aperient, the patient is now in a convalescent state."

"A Practical Treatise on Tinea Capitis Contagiosa, and its Cure: with an attempt to distinguish this disease from other affections of the scalp, and a plan for the arrangement of cutaneous appearances, according to their origin and treatment, &c. By W. Cooke." 8vo. According to this writer, there is but one form of tinea that is contagious: namely, that in which the bulbs of the hair are diseased, and which is shewn by the baldness of the part affected: an effect, he affirms, which does not take place in any other disorder of the scalp. In the treatment of this complaint, a solution of lunar caustic, of the average strength of ten grains to an ounce, is strongly recommended. The strength should be such as not to give pain,

but only to excite a sensation of tingling or itching. The oiled silk-cap is also affirmed to be highly beneficial, though no reason is assigned for such an opinion. There is one prime object in this volume, which we can by no means approve; we mean a very unnecessary forwardness to find fault with the system of Dr. Willan, whose arrangements it charges with being too minute and fanciful. In opposition to which, Mr. Cooke, in his own classification, has crowded together a variety of diseases which have no affinity. He has also arranged them, not from the symptoms and appearances of the affections themselves, but from the causes whence they are supposed to proceed, and which, in many cases, are extremely obscure and uncertain.

"Every Man his own Cattle-Doctor, or a Practical Treatise on the Diseases of horned Cattle, &c. By Francis Clater." 8vo. pp. 460. Mr. Clater has certainly paid some attention to his subject; but, as it appears to us, less in a *practical* than a *theoretical* view. He talks, indeed, of being able to treat, and of having repeatedly treated the rot, so fatal to sheep, from causes with which we do not profess to be acquainted, "*in its worst stage* successfully; yet we have never heard of Parliaments having rewarded his very valuable discovery, as in such case it undoubtedly would have done, with a premium of twenty or thirty thousand pounds; nor do we find, from any thing contained in Mr. Clater's volume, any one important idea elicited upon the subject. Are the streaks, or peculiar worms traced in this distemper in countless thousands, the *fasciola hepatica*, Lin. the cause or the consequence of this distemper? Are they ever found in any other situation than the liver or intestines of sheep? or are they ca-

pable of existing any where else? Have they not at times been found in the dropsy of sheep, as distinct from rot? What soils or regions are most predisposing to the rot; and is the disease contagious? These are questions of importance, upon not one of which does Mr. Clater's volume give us the slightest satisfactory information. Upon various other subjects, however, we admit that he is more intelligible; yet we still think that he would have been more useful to the cattle grower if he had given us less hypothesis and ampler facts.

"The Art of preserving all kinds of Animal and Vegetable Substances for several years, &c. translated from the French." The original work was published by order of the French Minister of the Interior, on a report made in favour of the process, to the Council administrative, by M. M. Guyton Morveau, Parmentier, and Bouriât, of the Board of Arts and Manufactures. The inventor of the process is M. Appert, who, from the favourable nature of the report, was allowed by the French government a premium of 500*l.* sterling. The plan proposed by M. Appert is highly useful and important, and, supplied as the market of our metropolis is, with multitudes of articles from remote provinces of the kingdom, it may, in a thousand instances, be employed with very considerable advantage. We are here informed, that it consists principally—1st. In enclosing in bottles the substances to be preserved.—2dly. In corking the bottles with the utmost care, for it is chiefly on the corking that the success of the process depends. 3dly. In submitting the enclosed substances to the action of boiling water in a water-bath, for a greater or less length of time, according to their nature, and in the manner pointed out, with respect to each several kind of substance

stance. 4th. In withdrawing the bottles from the water-bath at the period prescribed. In this manner may be preserved such animal substances as soup or gravy, or such vegetables as peas, beans, French-beans, &c. and various essences.—Eggs are said to be best preserved in wide-mouthed bottles, filled in like manner with raspings of bread.

"Sketches of Physiology of Vegetable Life. By the Authoress of Botanical Dialogues." 8vo. pp. 180. price 10s. 6d. The Botanical Dialogues evinced a considerable knowledge of the subject on which they professed to treat, and have received an adequate reward in the good opinion of the public. The treatise before us is worthy of the same writer; it is a continued and more scientific view of the subject. It is equally perspicuous and unassuming, and agreeably unfolds many of the most important phenomena in vegetable life. Grew and Malpighi, among earlier writers, Darwin, Willdanow, Vrolick; Smith, and Knight, among those of our own day, are the sources chiefly consulted. To these we should certainly have recommended Mirbell, Kirwan, and Ellis: with whose experiments and observations, however, the author of the Botanical Dialogues does not seem to be familiar. The volume is illustrated by fourteen appropriate and well-selected plates.

"Organic Remains of a former World, &c. By James Parkinson." Vol. III. 4to. The two preceding volumes of this interesting subject, and interesting work, have been already noticed by us, as they have successively made their appearance. The author's labours are now concluded, and the closing volume is as much entitled to our attention, as those which have anticipated it. It em-

braces a variety of fossil, testaceous worms, insects, and amphibials; a few birds and a multitude of mammals. The testaceous fossils are described almost entirely from Lamarck; the amphibials, birds, and mammals chiefly from the late publications of M. Cuvier, whose invaluable labours are well known to have introduced a new æra into the subject, and whose discoveries and arrangements are here noticed at a very considerable length:—a length indeed for which the author thinks it necessary to apologize. It is highly probable that the phenomena collected and presented in this work may lead to various important results. The mineralized remains of numerous unknown plants and animals have already added facts, supplementary as it were, but of a highly interesting nature, to the sciences of Botany and Zoology: and from the kind of connected examination of fossils which is here offered, as well as of the strata which contain them, much useful information may be derived respecting the situations in which many valuable materials usually combined with them may be found. Thus the traces of fossil vegetables generally point out the vicinity of coal; whilst the remains of land animals, show that, in general, wherever they are found, coal, if it exist, can only exist at a great depth. Hence the attachment of peculiar fossils to peculiar strata, is worthy of minute attention; and in noticing the localities of fossils, we should notice the kind of stratum as well as the name of the place in which they are detected.

The facts adverted to, in the latter part of the volume before us, yield some important knowledge as to the structure of the planet we inhabit. These facts would also supply, if it were necessary, an additional proof of the error of those who believe that there has always been

been a succession of tribes similar to what are in existence before us; and that the human species have had, and will have, an uniform and infinite existence.—With almost equal force will these phenomena oppose that system also, which considers the form and structure of the earth's surface, as resulting from a regularly recurring series of changes. The loss of whole species or even genera, and very recent creations of others, (as assumed in this work) strongly militate against both these hypotheses. It must, however, be acknowledged, that some accurate inquirers have doubted of the actual loss of a single species. Bonguier attempted to account for the apparent extinction of several species of shell-fishes, by supposing that there are many genera, and even families which live constantly at the lowest depth of the sea. Those animals, which he terms Pelagian, being entirely out of the reach of man, can only, in his opinion, become known to him by the mineralized remains of those shells which have been left in parts over which former seas have flowed.—Among these shells he places the Ammonite, the Belemnite, and the Orthoceratite; but it is rendered highly probable, in the pages before us, that all these shells possess such an organized structure, as would have enabled the animals belonging to them to ascend, and support themselves on the surface of the water. Many have conjectured, that a total extinction of some species, and a late creation of others would be incompatible with the wisdom of the Almighty, who, they conceive, would have formed a creation so complete at first, as to have required no subsequent change. Such a mode of reasoning, however, is puerile, and is opposed by indubitable facts; and

facts, too, which are demonstrative that the Creator of the universe, is perpetually exercising a superintending providence over the works of his hands. That such extinction of species is possibly taking place even in our own days, seems to be shewn by the discovery of dead shells in the island of St. Helena, differing from any known species of recent or of fossil shells: while the small number of some species of animals, as the dodo and the sloth, seems also to give additional support to the same belief.

"Outlines of an Attempt to establish a Knowledge of extraneous Fossils on scientific Principles. By William Martin, F. L. S. 8vo.

"*Petrificata Derbiensia* or figures and descriptions of Petrifications collected in Derbyshire. By William Martin, F. L. S. 4to. fifty-two plates with descriptions and an arrangement." The writer of this is no more: he expired not long ago at Buxton; but he has left a monument behind him in the volumes before us, sufficiently characteristic of unwearied assiduity, and for the most part of correct judgment. The "outlines" consist of two parts,—an elementary introduction to the study of *extraneous fossils*; and a *systema reliquiorum*. The former comprises seven sections, entitled—1. Preliminary. 2. Relics. 3. Distinctive characters of the reliquia. 4. Geographic situation. 5. Principles of Arrangement. 6. Principles of Nomenclature. 7. Delineations of Reliquia. The latter part, or "*systema reliquiorum*," presents a conspectus of such of the Linnéan genera of animals and families of plants, as are likely to appear in a fossil state, arranged according to the scheme laid down in the fifth section of the preceding part. Upon this scheme the whole mass of organic

remains

remains is comprised under nine genera. 1. Mammolithus, containing the relics of mammals. 2. Ornitholithus, containing those of birds. 3. Amphibiolithus, of amphibials. 4. Ichthyolithus, of fishes. 5. Entomolithus, of insects. 6. Helmintholithus, of the *unfabricated* parts of worms. 7. Conchyliolithus, of shells. 8. Erismatolithus, of fulciments or the fabricated *supports* of worms. 9. Phytolithus, of plants. In all this there is an affectation of learning, and correctness, that equally surprises and disgusts us. Why should such words as *reliquia*, and *fulciment* be introduced into the midst of plain English? In their common sense we do not want them, for *relics*, and *props* or *supports*, will do as well: and whenever the last is employed to designate the calcareous *habitations* of zoophytes, instead of their *peduncles* or *pedicels*, (terms already formed to our hands by the botanist) it is used in a vague unjustifiable signification. *Mammolithus* is neither Greek, nor Latin, nor English; nor any language whatever; but a spurious breed of languages of different kinds. *Conchyliolithus* would have been better *concholithus*; and *erismatolithus* cannot be exchanged for the worse. Latreille's system would have afforded Mr. Martin a much more correct and classical foundation both for his scheme and nomenclature, had he been acquainted with it. *Phytolithus*, as intended to comprise every vegetable relic of what kind or part soever, we never approved in Linnæus or Gmelin; and consequently cannot be expected to do so in the present instance. In reality nothing can be a stronger proof that the study of fossils has not yet acquired sufficient extent and perfection for a systematic arrangement, than this single

example of grouping the whole kingdom of plants, with all its classes, orders, kinds, species, varieties, and organs under one and the same term, whether that term be regarded as a genus, or a family. And if any other proof were wanting, we have only to refer to M. Cuvier's recent discoveries of unknown varieties, species, and kinds in animal oryctology, in many instances to a very considerable extent. The subject must be left for the present, in regard to all scientific arrangement, or if arrangement be attempted at all, it ought only to be in reference to the methods already established in the animal, vegetable, and mineral classifications of authors. The figures in the *Petrificata Derbiensia*, have all the appearance of faithful delineation, and are for the most part beautifully executed; though in some instances, delicacy is unnecessarily sacrificed to force.

"Observations on Mineralogical Systems. By Richard Chevenix, Esq. F. R. S. &c. Translated from the French by a member of the Geological Society. To which are now added, remarks by M. Chevenix, on the reply of M. D'Aubuisson to the above observations." 8vo. pp. 142. 5s. This is a singular title; and demands some degree of explanation. We are, consequently, informed by a prefixed advertisement, that these observations were originally published in Vol. LXV. of the *Annales de Chimie* in 1808, and appeared about the same time in the form of a separate memoir, during the author's residence in Paris. Mr. Chevenix has often been requested to give an English version of the work from his own pen: but while he has uniformly declined this request, he has "offered whatever assistance he might have in his power to give, should any one value

value them so highly as to undergo the labour of translation." Such a person has at length appeared, who has executed his task with fidelity, and has received the promised assistance of the author. The little work is indeed well worthy of being submitted to the judgment of the British public, and we are pleased that we have an opportunity of noticing it. Mr. Chevenix's object is to draw a parallel between the rival systems of Werner and Häüy; or in other words, between that of external characters and internal molecules, in favour of the latter. He admits the profound and comprehensive acquaintance of the professor of Freyburg with the science to which his life is devoted; and acknowledges, that during a residence of eighteen months in that city he had daily occasion to admire the precision and accuracy with which the learned professor recognized minerals at first sight; that the system of external characters by Werner, in the form in which it is made known to us by books that treat of it, is infinitely superior to any thing of the kind that ever appeared before it; and that it must be of the greatest utility to the miner: but he remarks, and at times with a somewhat uncalled-for warmth, that its arrangements are complex, and cumbersome; and its results, in many cases, lightly inconsistent with chemical experiments, and consequently that the station of a mineral is no certain index of its internal constitution.

But all this is only to say that it does not do that which it does not profess to do. There is indeed a close connection between mineralogy and chemistry, but they are not the same science; nor can they very readily be made branches of the same science, properly so called;

The former must, for the most part, be regulated by mass, and hence be determined by external characters; the latter professes to be regulated by minute and delicate analysis, and hence is only fitted for detailed operations and decisions. It assumes the position of differently shaped primary molecules to the fossil bodies that fall within its scope: but this position can only apply, and in the Abbé Häüy's system, is only pretended to apply to such bodies as are capable of crystallization. In so far as it does apply to these it may be geometrically correct: and the constituent materials, together with their relative proportions, may by this scheme be determined with great accuracy. But how numerous are the mineral substances that have no connection with the laws of crystallization!—and which, of consequence, are not provided for under this second system. The general result is, that mineralogy is at this moment too much in its infancy for any faint attempt at a comprehensive and definite classification, pretending to any degree of simplicity. We must at present describe both externally and internally: there may be an awkwardness, and sometimes a seeming antagonism in so doing; but if we confine ourselves to the external form alone, the molecular form alone, or the constituent principles alone, we shall seldom, perhaps never, communicate a safe or satisfactory representation.

In the department of Husbandry, the literature of the year has been peculiarly deficient, and has in reality presented us with nothing of material moment to notice. We shall however make a few observations on

"Agricultural Mechanism: or a display of the several properties and powers of the vehicles, implements and



and machinery, connected with husbandry; together with a great variety of improvements and innovations never before offered to the public; whereby numerous inconveniences may be obviated, and defects corrected. The whole familiarly arranged, and illustrated by twenty copper plates. Dedicated to the Bath and West of England Society, by Capt. Thomas Williamson, Honorary Member." 8vo. pp. 329. The Captain is certainly much better qualified for writing on the subject of *water* than of *land*; but he has contrived to collect various ideas concerning farms, and the means of cultivating them. He writes with good humour, and offers many useful observations on the machinery of light and heavy waggons; light and heavy, compact and spacious carts; the cope or tilting cart; the dray or brewer's cart; the timber-waggon; higgler's cart; cope-ledge; wheelbarrow; Leith cart, and Irish cart. He also gives descriptions of all the chief varieties of the plough, as the double and single-furrow, the hoe-plough, the double-moulding, draining and Beverstone plough; the harrow and drag; the sword-cutter; the extirpator, scuffler, pacer, mole and windlass; roller, spiked-roller, furrow and ridge roller; the chaff-cutter; winnowing-machine, and threshing machine. Of many of these we have very neat engravings, but the descriptions of the engravings are delivered in such a quaint pedantry of mathematical nomenclature, as to render it equally impenetrable to gentleman-farmers and the plainest ploughmen: a nomenclature, moreover, so absurdly employed on various occasions, as clearly to prove, that the gallant captain is as little acquainted with genuine mathematics, as with the valuable classes to which he directs his attention.

"An Introduction to the Theory and Practice of Mechanics; in five books, &c. illustrated by examples. By W. Murrar." 8vo. pp. 467. This is chiefly designed as an elementary work for the lowest forms, and as a guide to the more reasonable labours of Emerson, Parkinson, Wood, and Gregory, and be first of the five books into which it is divided, contains the elements of statics, or the doctrine of the equilibrium of solid bodies. The second book treats of dynamics, or the doctrine of motion, in the third are offered the principles of hydrostatics and hydrodynamics, or the principles of the equilibrium and motion of non-elastic fluids; and here the theory and practice of the two divisions will be found usefully and agreeably intermixed. The fourth book professes to contain pneumatics, or the properties of elastic fluids in general, though the author touches upon little more than the phenomena of common air. It gives, however, a plain and ingenious explanation of several aerostatic instruments in common use, as the barometer, thermometer, syphon, pyrometer, &c.; lays down the theory of the air-pump, and four descriptions of water-pumps, the sucking, lifting, forcing, and centrifugal. In these books no notice is taken of the fluxional calculus, this point being reserved for the fifth or concluding part, which chiefly therefore gives an extensive and more scientific view of the subject already discussed: it also contains observations on the motion of machines, and their multiplying effects, on a suspension of water-wheels, experiments on friction, and the theory of wheel-carriages.

"Lectures on the Elements of Algebra, designed for the use of the Students of the East India College, and such other young persons as may be desirous of studying themselves thoroughly

thoroughly acquainted with the first principles of that science. Second edition. By the Rev. B. Bridge, A. M. &c." 8vo. pp. 277. pr. 7s. The first edition of this work reached us a little towards the close of last year, as to prevent us from noticing it, as we otherwise should have done. The demand of a new impression is one of the best proofs that can be offered of its general merits; and we are gratified at finding, upon a comparison of the two editions, that the second contains various improvements upon the first, with an additional lecture on unlimited and diophantine problems, and the most useful properties of numbers; the investigation of the binomial theorem; La Croix's approximation to the logarithm of any small number, and exponential equations. The first two lectures describe the fundamental operations of rules; the third relates to fractions; the fourth to involution, evolution, and the binomial theorem; the fifth to simple equations; the sixth and seventh to quadratic equations; the eighth, ninth, and tenth, to ratios, proportions, and variable quantities; the eleventh and twelfth to arithmetical and geometrical proportion; the thirteenth to surd quantities; and the fourteenth to logarithms. The whole is treated with great neatness and perspicuity; and we shall receive with pleasure Mr. Bridge's promised continuation and completion of his lectures, containing "the general theory of equations, the summation and management of series; and the application of algebra to geometry."

It is to the honour of the East India College, that it has furnished us with another valuable work on Mathematics, and of a sublimer character, as the production of another of its professors; we mean Mr. Dealtry's "Principles of Fluxions, &c."

8vo. pp. 380. pr. 14s. There is a clearness in the method of this book which has highly pleased us; and especially that part of it which treats on fluents, and fluxionary equations; and the general collection of problems. The volume is divided into twenty-four chapters, as follows:— 1. On finding the fluxions of quantities. 2. Maxima and minima of quantities. 3. On drawing tangents to curves. 4. On drawing asymptotes to curves. 5. Method of finding fluents. 6. Areas of curves. 7. Contents of solids. 8. Lengths of curves. 9. Surfaces of solids. 10. Centre of gravity. 11. Centres of gyration, oscillation, and percussion. 12. On second, third, &c. fluxions. 13. On finding the points of contrary flexure in curves. 14. On the radius of curvature. 15. On spirals. 16. On the conchoid of Nicomedes. 17. Attraction of bodies. 18. On logarithms. 19. Maxima and minima of curves. 20. Application of fluxions to the motions of bodies in resisting mediums. 21. Fluents. 22. Fluxional equations. 23. Fluxional equations. 24. Collection of Problems.

"A Treatise on Isoperimetrical Problems, and the Calculus of Variations. By Robert Woodhouse, A. M. F. R. S. &c." 8vo. pr. 6s. We notice this as the first work of the kind that has ever issued from the hands of an English mathematician, and only the second that has ever been separately treated of by any mathematician. Mr. Woodhouse's sole precursor in the same precise line being M. Euler, and the work we refer to being his "*Methodus inveniendi lineas curvas proprietate maximi minimive gaudentes.*" The subject is here treated of in eight chapters, into which, however, we cannot follow him; but are compelled in candour to observe, that he has united great perspicuity with great

great exactness. We do not think, however, that he has allowed enough upon the first of the two subjects discussed to the genius of Newton, and that he has in this respect been led astray by the brilliant sophistry of La Place.

"Ferguson's Astronomy explained upon Sir Isaac Newton's Principles, with Notes and supplementary chapters, by David Brewster, LL.D." 2 vols. 8vo. with a quarto volume of plates. pp. 1111. The very popular style of Mr. Ferguson continues to render his work upon astronomy still sought after with avidity, and in our opinion deservedly so. Ferguson was not perhaps much of a mathematician, but he was sufficiently acquainted with the *Principia* to apply their general results to popular purposes. It is owing to this fact that his work has now reached a thirteenth edition, that of Dr. Mackay, which immediately preceded the present, having been the twelfth. The edition before us was certainly called for by the improved state of the science, and the very able editor has taken scrupulous care to follow up all those improvements to the present day. This he has accomplished by his supplementary chapters, which are twelve in number, and occupy not less than three hundred and eighty-two pages of the second volume. The subjects which are thus appended (for it is not worth while to notice the established matter) are the five new planets, the new discoveries in Mercury, Venus, Mars, Jupiter, and Saturn; new discoveries respecting the body of the sun, and its motion in free space; new discoveries and phenomena in the moon, with tables of lunar spots, lunar mountains, &c.; eclipses, occultations, transits of Venus and Mercury over the sun's disk; aberrations of the heavenly

bodies; procession of the equinoxes; mutation of the earth's axis; and the variation in the obliquity of the ecliptic; comets, with tables of the elements of 98 which had been observed previously to the year 1800; fixed stars, their magnitudes, distances, parallax, proper motion, &c.; speculations on the origin of the four new planets, and of meteoric stones; and a secular view of the solar system.

"Treatise on the Equilibrium of Arches, &c. By Joseph Gwilt, Architect." 8vo. pr. 6s. The object of the writer is to render the mathematical principles upon which arches are constructed familiar to architects in general. His observations are chiefly deduced from Dr. Hutton's well-known dissertation; but we are concerned to add, that he does not treat the venerable source from which he appears to have imbibed almost the whole he exhibits, with the gratitude and attention that is due to him; nor to allow him the claims to which he is entitled. For the rest, this treatise contains some good practical observations, especially as to the method of finding the drift or shoot of an arch, and is neatly illustrated by figures and plates.

This subject leads us to a cursory glance at the subject of architecture in general; upon which we perceive a valuable "Essay on the Doric Order of Architecture, &c. by Edmund Aikin." It contains a good historical view of its rise and progress among the ancients, a critical investigation of its principles and adaptation to modern use; and figures of the best antique examples drawn to one scale. This order is now becoming fashionable in England, in consequence of its having been adopted by Wilkins in the front of Downing College, Cambridge, and still later in that of Covent

Covent Garden theatre. The volume before us is well worth consulting upon the subject, and is entitled to the patronage of the London Architectural Society, by whom it is published.

Mr. Dearn has supplied us with some elegant and chaste "Designs for Lodges, and Entrances" to paddocks, pleasure-grounds, and parks,

in different styles; and Mr. Pocock with useful hints for "Modern Finishings for Rooms" of all kinds, and requiring ornaments of very different natures. Mr. Norris's "Architectural Antiquities of Wales;" and Dr. Milner's "Treatise on the Ecclesiastical Architecture of England during the middle Ages," are both highly entitled to approbation.

## CHAPTER III.

## MORAL AND POLITICAL.

*Containing History, Voyages, Travels, Topography, Politics.*

OF national history, properly so called, the current year has furnished us with but few articles worthy of notice: but in provincial, or colonial histories, or national incidents and characters, collected in the course of missions, voyages, or travels, it has been sufficiently rich.

We shall commence, in an easterly direction, with Colonel Kirkpatrick's "Account of the Kingdom of Nepal, being the substance of observations made during a mission to that country, in the year 1793. Illustrated with a map and other engravings," 4to. pp. 386. The kingdom of Nepal consists for the most part of an extensive valley, separated by a lofty chain of mountains from the north-eastern parts of Bengal. To the westward its borders stretch to the limits of Oude, and to the north-west it touches on Tibet. Khálmándú is its capital, which stands on the eastern bank of the Bishumatty, and runs along it for about a mile. Notwithstanding its vicinity to Bengal, no European had passed the barrier mountains, except that a casual visit was paid to it by Dr. Buchanan in 1801, till the writer of the work before us, who was deputed in 1793 by the British government, to act as mediator, at the request of the regency of Nepal, in a dispute between this court and that of Pekin, in consequence of certain encroachments which were asserted to have been made by the

former upon the rights of the Lamas of Thibet, whom the Emperor of China had for some time taken under his protection, and in support of which a considerable Chinese force had been dispatched; and had already reached the heights of Dhy-boon, and consequently commanded a distant view of the valley of the Ganges.

The city of Khálmándú does not appear to be so extensive, nor the number of its inhabitants so considerable; as the general population of south-eastern Asia would induce us to expect. Col. Kirkpatrick calculates the houses, including those of the dependent towns and villages, at 22,000, which, at ten inhabitants to a house, will give us not more than 220,000 souls for its entire population; and consequently not less than a fourth part of the population of our own metropolis; and somewhat less than half that of Paris. The houses are built of brick and tile, with rarely the appearance of a stone edifice; since, although the country abounds with lime-stone of the best character for building, the want of roads and canals renders it very difficult to work a quarry. For the same reason, although it is equally enriched with almost every metal, except gold, the copper exported from Britain is purchased for two thirds of the price of that which is smelted in the country: the price of the former being a rupee per

per seer, and of the latter a rupee and a half. The natives are peculiarly superstitious. The writer before us affirms, that "there are nearly as many temples as houses, and as many idols as inhabitants. He calculates the local deities at not less than two thousand seven hundred and thirty-three; and affirms, that the sacred grove of Gerjasirre swarms with monks of most disgusting appearance, so disgusting indeed, as, in the opinion of the natives, to prove a frequent cause of monstrosity to the fetuses of pregnant women upon their suddenly seeing them, while they are suffered to continue without molestation, as to kill them would be held an act of sacrilege, and even to drive them away an act of impiety. The hills that surround the valley present, progressively, within the compass of a few miles, every diversity of climate, from the tropics to the arctic circle; and it is highly probable that the Europeans of Bengal might derive all the advantages, in case of debility and relaxation, from a short residence about half way up these hills, which are proposed by voyagers to Europe. The fever of the low country is not known here, and the general salubrity of the climate is sufficiently obvious from the looks of the mountaineers. But the goose of the Alps is also indigenous to these elevated regions, though the snow seems to fall in much less abundance. On the summit of Chandraghiri the raspberry, mulberry, walnut, and peach are produced spontaneously, and the esculents of Europe might probably be cultivated with great facility. The plants of this last kind, chiefly employed by the poorer tribes, are the *gourd*, a species of yam, and the *kurula*, a variety of the wild aspa-

ragus, which also grows without culture.

The government of Nepal is despotic, like that of all other Asiatic states: the reigning family is of the Rajépoor dynasty, and it has had the controul for several centuries past. The inhabitants consist principally of the two superior classes of Hindus, and of a Tartar or Chinese race denominated Newars; the last are chiefly found in the valley of Nepal; the former, which are scattered over the country generally, constitute the greater part of the army; and engross all situations of trust, whether civil or military. We have dwelt somewhat the longer upon this subject, because there can be no doubt that Nepal must shortly fall into the hands of China or of the English East India Company, if the Court of Directors should succeed, as there is little doubt they will, under certain modifications, of renewing their charter; and, of the two subjugations, we think the latter is considerably the more probable.

We are also indebted to Colonel Kirkpatrick for a quarto-volume of "Select Letters of Tippeo Sultan to various public functionaries, including his principal military commanders, governors of forts and provinces, diplomatic and commercial agents, &c. with notes and observations, and an appendix containing several original documents never before published." Amidst the tumult and disorder that accompanied the storming of Seringapatam in 1799, a very great part of the public records were accidentally burnt, or otherwise destroyed; yet enough of them appears to have been preserved to gratify the appetite of the most cupidinous lover of Asiatic cabinet-intelligences. From the general mass which the overthrow of the Mysore government

government threw into the hands of the English, Col. Kirkpatrick has culled the materials which constitute the volume before us. It is indeed a tissue of imperial tyranny, depravity, and villany of every kind; and, if it were possible for an individual to exist in Asia or Europe, whose heart has ever sighed over the fall of this monster of despotic power, it is only necessary for him to glance at these selections, to save him from the trouble of giving another sigh upon the subject. The editor has correctly observed; that "the importance of these letters does not consist so much in the light which they are calculated to shed on several material occurrences of the period they relate to (though in this respect they will be found an useful guide to the future historian of Mysore), as in the vivid illustration which they afford of the genius, talents, and disposition of this extraordinary author, who is here successively and repeatedly delineated, in colours from his own pencil, as the cruel and relentless enemy; the intolerant bigot or furious fanatic; the oppressive and unjust ruler; the harsh and rigid master; the sanguinary tyrant; the perfidious negotiator; the frivolous and capricious innovator; the mean and minute economist; the peddling trader; and even the retail shopkeeper." His letters are usually written in the most laconic manner; and this manner, observes the editor in continuation, was well adapted, if not absolutely necessary, to the purpose of one who had his pen for ever in his hand; and who himself (whether from inclination, or from an universal distrust of all whom he employed, or from a passion to be thought, not only a principal; but the sole originator of every thing) directed either by writing or orally

the most minute details of his government. Such a one could not have had leisure to compose long letters; had they been necessary. But be this as it might, the Sultan does not appear to have possessed a sufficient stretch of thought upon any subject (even those he most delighted in or affected) to enable him to discuss it with logical force or precision. A consecutive train of argument was a thing of which he nowhere seems to have had an idea; yet some of the occasions on which he wrote, or dictated, certainly afforded ample scope for the display of the reasoning faculty. He did not even write with facility. This is clearly shown by various methodisms in his hand-writing, which, though very short, and on subjects of no difficulty, abound in erasures and corrections.

Among the different classes of religionists in Asia, his most mortal and inveterate hatred was reserved for the Christians; whom, after the French philosophists, he usually nicknamed *Nazarenes*; and among the different political states, the English had the honour of possessing his most rooted abhorrence. He was perpetually boasting of the thousands and tens of thousands of *Nazarenes* whom he had forced into the true faith; and of the armies he had formed out of English prisoners, or the prisoners of English allies, to save themselves from immediate death. The following passage may serve as a specimen of this wretch's high sense of humanity: "In the event however of your being obliged to proceed to the assault of the place, every living creature in it, whether man or woman, old or young; child, dog, cat, or any thing else, must be put to the sword, with the single exception of *Kish Pundit*." It is supposed that *Kish*

Pundit

Randit was reserved for some peculiar display of ingenious torture. The following extract exhibits a striking picture of Tippon's faith and honour. "A treaty of peace has been concluded between us: it is, therefore written, that you must, with the utmost expedition, collect *all the money you can from the country*. You must moreover completely encompass two or three towns, and getting together five or seven thousand people, report the particulars to us *as men are wanted*. (at this time) for the Illye corps. A further reinforcement is about to be dispatched to you. Whatever hostile force may appear in that quarter, you must chastise it effectually, and level it with the earth."—"Contrive some means of getting possession of the person of Moona Kool; he must be secured by stratagem or deceit." And again—"Write a letter to Mpona Kool, *inviting him to come to you, and then seize upon his person*." In his private journals we are entertained with the following *morceau*, describing the result of his having taken Mangalore, and afterwards given in sealed orders to his troops, concerning their conduct to the Christians it contained. "Our orders were every where opened at the same moment; and at the same hour (namely, that of morning prayer) *were the whole of the Christians, male and female, without the exception of a single individual, to the number of SIXTY THOUSAND, made prisoners*, and dispatched to our presence; from thence we caused them, after furnishing them duly with provisions, to be conveyed under proper guards to Seringapatam; to the *Talukdars* of which place we sent orders, directing that the Christians should be divided into risalas, or corps, of five hundred men, and a person of reputation and upright

character placed, as risaladar, at the head of each. Of these risalas, four (together with their women and children) were directed to be stationed at each of the following places, where they were duly fed and clothed, and ultimately *admitted to the honour of Islamism*: and the appellation of *ahmady* was bestowed upon the collective body."

"Historical Sketches of the South of India, in an attempt to trace the history of Mysur, from the origin of the Hindu government of that state, to the extinction of the Mohamedan dynasty in 1799; founded chiefly on Indian authorities collected by the author while officiating for several years as political resident at the court of Mysore. By Lieut. Colonel Mark Wilks." 4to. This is a very valuable history of what now constitutes a very important part of the enormous Indian empire of Great Britain: and is in direct connection with the preceding article. We shall give a slight sketch of the geography of the extensive plain before us, and a rapid glance at the political changes of which it has been so frequently the sanguinary scene.

The river surnamed Crisna, from its deeply tinged waters, rises in the lofty mountains that skirt the maritime country of Concan; on the western side of the peninsula; and flowing with a south-easterly course through regions alternately fertile and populous, and alternately covered with impenetrable forests, joins the ocean, augmented by a variety of tributary streams, in the circle of Guntoor, nearly in lat. 16°. Nature has strongly marked the regions which stretch from this river to the southern point of India. Two ranges of lofty mountains, extending from north to south, enclose a table land, elevated from 3000 to



5000 feet above the level of the sea, between which and these mountains lie the plains of Coromandel and Malabar. This elevated and enclosed region constitutes the ancient Carnatic, or, as it is termed in the Purāṇas, Carnāta, and of the Carnatic, Mysore, or Mysur, as it is here spelt, forms a principal and prominent part. Mysore has in different eras been an independent kingdom, and a constituent province of a more extensive government. When the Mohammedan arms first appeared on the banks of the Crissa, the whole of Carnāta, together with the adjoining countries of Dracidā and Talava, constituted one empire under the authority of Belal Rāi, who had fixed the seat of government in the city of Dwārā Samudra, about a hundred and five miles N. W. of Seringapatam, and whose ruins are still visible. This city was taken and plundered, in two predatory incursions, by the commanders of the Mohamedan forces in 1310 and 1311: in consequence of which, the rajah Belal removed the seat of his government to Tonuru, in the immediate vicinity of Seringapatam; and his family continued to reign over the southern part of the peninsula, till finally dispossessed in 1387 by the sovereigns of Vijāyanagar. Vijāyanagar was founded at the period of the sack of another city in Carnāta at the time the northern part of this extensive region was overrun by the Mohamedans,—a city which was named Varuncul, and governed by Rudradeva. It was the patriotic effort of two of Rudradeva's principal officers, who thus established an asylum for their forlorn countrymen in the year 1336. The country of Mysore at this time formed a part of the new kingdom, or empire as it was afterwards denominated, and continued to do so till

the year 1610, and the status of Mysore was first given to a fort erected for its protection in 1524, and thence denominated by ellipsis from Maheswari, an epithet of the goddess Isā or Isis. The land on which this fort was erected was then in the possession of the ancestors of the present rajah of Mysore (to whom the British government has restored the vicereignty), with the name or title of Udiar, synonymous with that of Zemindar, or land-holder, in upper India. The flourishing state of the Vijāyanagar kingdom was so considerable, soon after its establishment, that it progressively embraced, in its turn, the whole of the Carnatic, and extended over all the peninsula south of the Crissa. The Mohamedan princes, whose states lay contiguous, were alarmed at its prosperity, and the bold and enterprising spirit of its ruler; and entered into a conspiracy, which proved fatal to Rama Rajah (the reigning prince), who fell in battle at Telicotta in 1564, and whose capital was plundered and depopulated by the victors. "His successors," observes Colonel Wilks, "deserting the seat of their ancestors, established at Penconda the ruins of a once powerful dynasty, which continued to cast a lingering look at its former greatness; until retiring from thence to the eastern position of Chandragurri, the last branch whose sovereign title was acknowledged, he was expelled from this last fortress in 1646."

At the time of the fatal battle of Telicotta, one of the ancestors of the recently established rajah of Mysore was, as we have just observed, udiar of the country, and governor of the fort which bear this name; and as, during the decline of the the Vijāyanagar dynasty, which instantly took place, the udiars endeavoured

voured to evade the payment of their revenues to government, and gradually to enlarge the bounds of their possessions; a variety of intestine commotions and contests ensued. Among the most successful of the disaffected were the Udiars of Mysore; and their power continuing to increase, Raj Udiar, who succeeded in 1756 to the family property, was expressly nominated to the charge of the government by the dying viceroy in 1610, and hence obtained legitimate possession of the supreme power. He then removed his residence from Mysore to Seringapatnam, and abjuring the peculiar tenets of the sect in which he had been educated, adopted the more popular profession of the Vaisnavite doctrine. Independently of the territories subjected to his sway by the limited authority of the deceased viceroy, he added, during his long, active, and successful reign, in the midst of a period of great political anarchy, a variety of neighbouring districts to his dominions. The throne of Mysore continued in possession of the same dynasty of native princes through a period of one hundred and fifty years, or from 1610 to 1760, and was distinguished by a series of nine distinct reigns. In 1760, however, Hyder Ali, a Mahomedan of considerable address, and who had been appointed commander in chief of the Mysore forces, usurped the sovereign power, dethroned the reigning prince, and introduced a dynasty of Islamism, which continued till the overthrow and death of his son Tippoo Sultan by the English forces in 1799. The extensive region we are now contemplating may, therefore, be naturally expected to form a very considerable contrast with that north of the Cristina. In the former, every thing is still Hindû; the man-

ner, the habits, the doctrines, the ritual, and the institutes of Menu, are in as much force as ever, the country having only passed transiently through a Mahomedan usurpation, which was terminated in less than forty years. The Calinga language, that has been immemorially in use, is almost the only language in use still; and the written character, which is a species of Nafari, has never yet given way, at least in a general view, to the Arabic. Col. Wilks concludes his very valuable work by offering several highly judicious observations upon the territorial imposts which have of late been projected by the Madras council, and the general system of finance laid down for the country. Considering that at this moment the countries subjected to the British dominion in India may on probable grounds be calculated to contain sixty millions of inhabitants, it is of immense importance, in a benevolent view, that whatever be the financial schemes devised, they should be made to promote as much as possible the general welfare and happiness; and, in a political view, that they should form a stable foundation for general industry and satisfaction.

"Sketch of the Political History of India, from the introduction of Mr. Pitt's Bill, A. D. 1784, to the present date. By John Malcolm, Lieut. Colonel in the Hon. East India Company's Madras army, Resident at Mysore, and late Envoy to the Court of Persia." 8vo. pp. 557. We cannot yet quit the Asiatic continent, so numerous are the works which have been directed towards it in the course of the current year, and so important are its interests to the British empire. Col. Malcolm's history includes the successive administrations of Marquis Cornwallis, Lord Teignmouth, Marquis Welles-

ley, Marquis Cornwallis again, Sir George Barlow, and the earlier part of that of Lord Minto. In discussing the question, whether the British government should exhibit itself merely in a commercial character, and strenuously abstain from all interference in the political relations of the native powers, or should take an active part in the internal transactions of the country, and endeavour to acquire an ascendancy wherever it is possible, Col. Malcolm is a decided advocate for the latter system. He observes *à priori*, that in the midst of states so perpetually catalling, and over-reaching each other, as those of India, to remain neuter is impossible; that to be inactive would only be to invite hostilities, and to ensure our own ruin, by allowing the progressive aggrandizement of adjoining states, while our own continued stationary. And, in addition to this, he observes historically, that wherever the system of quietism and inertion has been put into effect, as it was done under Lord Teignmouth, Lord Cornwallis's second administration, and that of Sir George Barlow, that it has uniformly been accompanied with extreme danger to the British cause. He is consequently altogether in favour of the energetic councils and towering ambition of Lord Clive, Mr. Hastings, Lord Cornwallis during his first administration, Marquis Wellesley, and, we may add, Lord Minto. And we believe the reader, who has carefully perused the history of India, so far as it occurs in the preceding articles of this department, will concur with ourselves in believing, that, if this immense possession be to be held at all, it is impossible to hold it upon any other tenure. It follows, however, of course, that the system of quiescence uniformly laid down by parliament, and almost as uniformly

by the court of directors, has been from first to last a system of ignorance and error,—a point which is mainly insisted upon by the enlightened and enterprising writer before us; and that the only system which has been founded upon true policy, and a comprehensive view of the subject, is that which has from time to time been carried into effect by succeeding governors-general, in direct opposition to the orders they have received.

It is admitted by Mr. Malcolm, that to persevere in this restless and even advancing object, must require a very large military force of Europeans, and must be accompanied with an enormous expense. Whether the small speck of island, which constitutes the parent country, can afford the former, or the revenues of the Company provide for the latter, are points upon which there must be a very great diversity of opinion: and we regret to add, that Col. Malcolm's views are not sufficiently extended to follow up his own darling scheme to this ultimate issue. He justly remarks, however, upon the inflexible integrity, as well as high political talents, which must in every instance be imperatively requisite for every succeeding governor-general, and bitterly inveighs against the narrow spirit and contracted understanding which have too frequently marked individuals in high departments in the company's service, as well as in the court of direction itself. He speaks more favourably of the possibility of proselyting the natives to a knowledge of the gospel, than military men have hitherto been much in the habit of doing: but he thinks that the whole ought at present to be left to the unheeded and modest operations of the lowly and obscure missionary, lest the jealousy of a priesthood of  
bramins

bravants should be aroused into open warfare, and a host of temporal authorities should confederate with them in their resistance.

"Exploratory Travels through the Western Territories of North America; comprising a voyage from St. Louis on the Mississippi, to the source of that river, &c. Performed in 1805, 6, 7, by order of the government of the United States. By Zebulon Montgomery Pike." 4to. pp. 436. This volume presents us with an account of two different excursions into the interior of the American continent. The former commenced at St. Louis in August 1806, at which time Lieutenant (now Major) Pike sailed with one sergeant, two corporals, and seventeen privates, in a keeled boat about seventeen feet long, provisioned for four months, in order to make a survey of the Mississippi to its source. He discovered, as might be expected, much good land, and more of an unpromising aspect, peopled by Indian tribes of different habits and dispositions. The account of them is not given in sufficient detail, or at least does not furnish sufficient variety to make it very interesting. The whole population of this immense district is so thinly scattered, that it amounts to not more than 8,034 warriors, 12,714 women, 22,391 children — making collectively little more than 43,000 inhabitants, throughout a range of from a thousand to fifteen hundred miles. The expedition returned to St. Louis April 20, 1806, after an absence of eight months and twenty-two days.

Major Pike commenced his second voyage July 15, 1806, the object of which was to explore the course of the Red River, forming the alleged boundaries of the provinces most dishonourably purchased of late of Bonaparte, who, as the American

government well knew at the time, had no more right to them than itself. A second object, it is also pretended, was to restore some Indian prisoners to their homes and families. By taking a course too far northerly, the Major overshot his mark; and instead of visiting the Red River, he reached the *Rio del Norte* of the Spanish Americans, and was in consequence discovered by them on their territory. Here, however, the whole party were treated with great civility; although such of their papers were detained, as the Spanish commander thought might be of service to him. They were also sent under escort through a very different route; being carried first to Santa Fe, thence to Chinahua, the Spanish governor's residence, where they arrived April 2, 1807; and from which they were dispatched to the American post at Natchitoches, July 1. This second expedition is far richer in incidents, and interesting adventures, than the preceding; and we have hence introduced several extracts from it into another department of the Register; to these we refer the reader, and have only to add, that the work is printed in England from a manuscript sent over for this purpose, which ought to have been much better corrected than it is, before it was suffered to meet the public eye. It is illustrated by two neat maps of English execution.

"Journal of a Tour in Iceland in the summer of 1809. By William Jackson Hooker, F. L. S. &c." 8vo. In the spring of 1809, Sir Joseph Banks, to whom we have hitherto been chiefly indebted for what we know of this utmost and forlorn region, proposed to Mr. Hooker an excursion to Iceland: Mr. Hooker acceded to the proposal, sailed from Gravesend June 2, arrived on the coast

coast of Iceland June 16, and entered the harbour of Reiknig five days afterwards. He made a general tour of it, minutely examined its more prominent curiosities, and especially the Geysers, or boiling springs, and its volcanoes, and on Aug. 16 quitted the island, with his minute-books freighted with an extensive collection of valuable facts. The reader will not bear, without genuine sympathy, that on the very next day the ship, from some cause or other not satisfactorily explained, caught fire: the whole of his memorandums were destroyed, and himself, with the crew of the burning vessel, saved almost miraculously, by the appearance, in the very juncture of despair, of another English ship, which took them on board, and brought them to their native land. A few brief hints contained in his pocket-journal were the whole Mr. Hooker was capable of preserving from the flames; and it is from these hints, and the recollections to which they have given rise, that the present volume, which is chiefly, if not altogether, printed for the circle of the author's private friends, has received its birth. From this interesting work we have copied with some freedom in the Department of our Register devoted to literary selections, and shall add nothing farther therefore, excepting to direct the reader to the extracts he will there meet with, as specimens of the writer's descriptive style and indefatigable spirit of adventure.

"Brief Remarks on the Character and Composition of the Russian Army, and a Sketch of the Campaigns in Poland in the years 1806 and 1807, by Sir Robert Wilson, aid de camp to the King, &c." 4to. This work is not altogether military, though its title would induce us to suppose so. Its direct object is to point

out and correct the errors of two preceding views of the same country, which have had a very considerable influence in throwing general contempt upon it. "The popular," observes Sir Robert, "of a French extra-official narrative of the campaigns of 1806 and 1807, and a late British publication on the character, customs, and manners of Russia, with a review of that work, awakened my feeling, and induced me to attempt the vindication of a brave people. . . . I determined to expose the false and exaggerated statement of our common enemy, by contrasting it with an impartial historical narrative of facts, so that the future historian may be able to discriminate between truth and falsehood, and to mitigate the evils which a work written at a gloomy period in the Russian history was circulated to occasion, when better times and a more enlightened government have succeeded." Sir Robert has not been idly generous; he has certainly accomplished his benevolent object to a considerable extent. It is obvious, however, in every page, that if Dr. Clarke has lowered the moral character, and the French military work the military character of the Russians, beyond their proper scale, the present writer, under the influence of strong personal attachment, has exalted both beyond the proper level. The work, nevertheless, will answer admirably as a corrective, and is, to a very considerable extent, as Sir Robert himself has demonstrated it, "an important narrative of facts." It is his reasoning upon these facts alone that discover his partiality, and place him in the light rather of an advocate than of an historian. It appears from the statement before us, that through the whole of the two campaigns described, the French were very considerably superior in force

force to the Russians. In the dreadful battle of Preuss Eylau half as numerous again; the comparative proportion being not less than 90,000 to 60,000. We are also taught, that in this, as well as in the battle of Poltush, the Russians were the real victors—although it is admitted that all the advantages of victory were in both instances lost, from an entire want of cooperation among the Russian generals. Some idea of the tremendous carnage that distinguished the battle of Heilsberg may be formed from the following single feature of it. "The ground between the wood of the Russian batteries, about a quarter of a mile, was a sheet of mangled human bodies, which friends and foes had during the night mutually stripped, although numbers of these bodies still retained consciousness of their situation. It was a sight that the eye loathed, but from which it could not remove." The following are admirable sketches of the Cossack: "Mounted on a very little, ill-conditioned, but well-bred horse, which can walk at the rate of five miles an hour with ease, or in his speed dispute the race with the swiftest—with a short whip on his wrist (as he wears no spur), armed with a lance, a pistol in his girdle, and a sword, he never fears a competitor in a single combat; but in the late war he irresistibly attacked every opposing squadron in the field. Terror preceded his charge, and in vain discipline endeavoured to present an impediment to the portending pike. The cuirassiers alone preserved some confidence, and appeared to baffle the arm and skill of the cossack; but in the field of Preuss Eylau, when the cuirassiers had made their desperate charge on the Russian centre, and passed through an interval, the cossacks instantly bore down on them,

spearred them, unhorsed them, and in a few moments five hundred and thirty cossacks re-appeared in the field, equipped in the spoil of the slain." So again, after the battle of Eylau, when Bonaparte brought forward an immense mass of cavalry to overwhelm the Russian rear-guard, commanded by Prince Bagration, and by Platow the Attaman of the cossacks, the latter, before they passed the bridges of the river which flowed behind them, and to which they had to descend, "saw the impending danger, and began to press back in confusion. Platow checked, but found the disorder increasing: he immediately sprang from his horse, exclaiming to the cossacks, 'Let those that are base enough abandon their Attaman.' The corrected lines paused. He gradually moved; with a waving hand kept back those who trespassed; sent his orders with calmness; reached the town in order; halted at the bridge until every man had passed; destroyed it, and, still on foot, proceeded on the other side of the town, struggling ankle deep through the heavy sand; nor could the most tremendous cannonade, and the incessant fire of the French battalions, crowning the opposite heights, and who commenced their volleys as they formed successively, accelerate his pace, or induce him to mount his horse, until the object was attained, and superior duty obliged him, for the direction of other operations. His mien, his venerable and soldier-like appearance, his solemn dignity of manner, combined, with the awful incidents of the scene, to render this one of the most imposing and interesting sights that could be witnessed.—Those who have not seen the achievements of the cossack may perhaps, from the impression of former opinions, hesitate to credit

dit their superiority in cavalry attacks: but what body, armed with sabres, can resist a lance projecting above six feet beyond the horses' heads, sustained by the firmest wrist, and impelled with the activity of the race horse? The cossack is not first armed with a lance, when he proceeds to war, or when he attains to manhood: it is the toy of his infancy, and the constant exercise of his youth; so that he wields it, although from fourteen to eighteen feet in length, with the address and freedom that the best swordsman in Europe would use his weapon."—We have copied this passage in a fuller detail than we otherwise should have done, as it comes home to every Englishman's business and bosom, in consequence of its being a faithful picture of the Polish *lanciers*, a species of cossacks, that in one or two of our last glorious victories on the Spanish borders, committed such dreadful havoc on the British lines, before they were ultimately put to flight; or rather exterminated.

We shall now pass on in a southerly course to this interesting and eventful quarter: and find the chief works which have been directed to it, within the compass of our present incubations, are the following:

"*Travels in the South of Spain*, in letters written A. D. 1809 and 1810. By William Jacob, Esq. M. P. F. R. S." 4to. pp. 464.

"*Descriptive Travels in the southern and eastern Parts of Spain and the Balearic Isles*, in the year 1809. By Sir John Carr, K. C." royal 4to. pp. 400.

"*The History of Spain*, from the earliest period to the close of the year 1809. By John Bigland." 2 vols. 8vo.

The first of these presents us with the personal observations of an in-

telligent traveller, whose life has been devoted to mercantile concerns, during a short residence in the southern provinces of the peninsula, of about five or six months. It is given in the epistolary style, constituting a sort of regular correspondence maintained with the writer's family during his absence. The language is plain, but not inelegant: the remarks are ingenious and liberal; and often discover a judgment correct and comprehensive. We can give credit to what Mr. Jacob says, for a love of truth seems peculiarly to influence him; and we have hence copied pretty freely from him in our department of literary selections.

The course pursued by the second writer before us was for the most part similar to the preceding, excepting that it ranged further north; and trended somewhat more to an easterly direction. Sir John Carr left England in July 1809, arrived at Cadiz on the 8th, and having visited and examined this now-famed city, progressively made the best of his way towards the *old rock* of Gibraltar, Malaga, Granada, Valencia, and Montevrat; returned to Tarragona; sailed for Majorca, Minorca, and Sardinia—all which are successively described in the volume before us; and afterwards steered his course to Sicily and Malta, of which we may expect an account in a subsequent volume. We have so often had occasion to notice the peculiar style of this whole-souled traveller and writer, that we have only to observe, that the new work is entirely *got up* in the same manner. The present are, indeed, as Sir John Carr has himself certificated them in his title, "*Descriptive Travels*;" the country, the customs, manners, occupations, and amusements of the inhabitants, incidental pieces of history, ancient or modern, war,

war, peace, politics, and religion, private anecdotes and public facts, are all equally worked up into something agreeable and diverting; something that occasionally instructs, and always amuses. From this volume also, our readers will find that we have selected several portions, and such as have appeared to us most worthy of notice.

Mr. Bigland's "History of Spain" may be regarded as an useful, and, all things considered, even desirable epitome, drawn up from respectable sources, in easy and fluent, rather than in strong and impressive language. It is well timed, and will probably have an extensive run through the existing day, though certainly not calculated, and, we suppose, not aspiring to any thing beyond. "At this momentous crisis," the author observes, "an historical view of the Spanish monarchy is peculiarly important. The tremendous events that have lately occurred, and the lively interest which the British nation has taken in all that relates to the destinies of Spain, indicate the propriety of looking back to that chain of causes, which, by various revolutions, conducted her to that high degree of elevation in which she once stood, and has sunk her into her present state of depression." The work consequently commences with a brief view of the early history of Spain; the resistance of the nation to the arms of the Carthaginians; the final success of the invaders; the commotions of the country during the struggle between Carthage and Rome; and the repeated revolts, by which the Spaniards strove to regain their independence, till in the reign of Augustus they were effectually subjugated. He traces the successive transfer of the country to the domination of the Franks, Vandals, Visi-

goths, and Saracens; and its glorious emancipation in 1492 by Ferdinand of Arragon: descends on its greatness and prosperity, when in the zenith of its power, during the reign of the second Philip, and brings down his narrative to the bloody but illustrious events of the present day. There are many marks of haste in the composition of these volumes, which, if they should reach a second edition, the writer would act wisely to correct, by a detailed and careful revision.

Sicily, which through the whole extent of the present war has claimed so large a share of the attention and resources of Great Britain, has also demanded the notice of several political and statistic writers during the period before us, of which the following are those best entitled to attention.

"A View of the present state of Sicily; its rural economy, population, and produce, particularly in the county of Modica, &c. By Thomas Wright Vaughan, Esq." 4to. pp. 353. This is by no means an original publication; but it is not less worthy of attention on this account. It consists principally of a translation of a work lately published at Palermo, entitled, "Journal of a Tour in Sicily, particularly through the county of Modica, in the months of May and June 1803; by the Abbatè Balsamo, with the Knight of Jerusalem, Signor Donato Tommasi, counsellor and conservator general, &c." This journal is written in plain but neat language, and is replete with important information concerning the soil, agriculture, customs, politics, and military system of the country it describes; and the remarks which Mr. Vaughan has adjoined give additional value to the whole. The two Italian tourists appear to be considerable agricul-

turists,



turists, and as every thing has of late years been conducted on the English fashion, we are glad to find that the agricultural system of our own country has also caught the attention of the Sicilians, and is extensively employed with unanimous approbation, the first practical agriculturist who introduced it having been the Baron Vincenzo Palmeri. The Sicilian system of taxation and restrictions, however, is a heavy draw-back upon the industry of its inhabitants, in whatever way exerted, whether in the growth of corn, or the encouragement of trade and manufactures. It is this absurd system, indeed, which has reduced the island to its present state of degradation and apathy; and which has hitherto prevented the exertions of the English from raising amongst its inhabitants any thing like a spirit of patriotism or heroic adventure. The Sicilians are perpetually giving proofs that, as a people, they very considerably prefer the English nation to the French,—and yet, so torpid and indifferent are they, under their present shackles and burdens, as to what power directs the helm of government, that, on the improvident landing of the French in Sept. 1810, the entire repulse was left to their protectors; and even “in the town of Palermo, where there is a force of 8000 Neapolitans, an object to rally on (round), not a soldier appeared from a population of 150,000 inhabitants; for the force of the volunteers cannot be called by that name, unembodied, undisciplined, unclothed, and unarmed. And in the town of Messina, where, of all places, they have reason to dread them (*the French*), where the army of the enemy, of 24,000 men, could be seen from their windows for more than four months, when 15,000 English were at their gates to encourage and

support them; with a population, besides, of 80,000 inhabitants—not a man appeared in arms, except those paid by us in our and their gun-boats; no spontaneous ebullition of patriotic exertion burst forth into action; and the town of Messina exhibited no more military appearance, as far as regarded the inhabitants on the 18th of September, when the enemy landed, than on the 4th of June, when they were first *showed* (shown) in force upon the heights above Scylla.”

“An Historical Survey of the foreign affairs of Great Britain for the years 1808, 1809, 1810, with a view to explain the causes of the disasters of the late and present wars. By Gould Francis Leckie.” 8vo. pp. 624. We notice this in its present situation, because, as the volume is made up of different articles, the first and most prominent is peculiarly devoted to the subject of Sicily. In this survey Mr Leckie speaks still more degradingly of the country than Mr. Vaughan; yet we are afraid not more so than it deserves. The article relates to the division of the landed property; the tribunal of patrimonies; corn laws; revenue; parliament of Sicily; army; education and character of the nobility; character of the middling ranks; courts of justice, and peasantry: all of which, in Mr. Leckie's opinion, is so infamous, so oppressive, or dishonest, or cowardly, or ignorant, or selfish, and full of cheat, that nothing can be worse. The country, however, is a paradise; and we trust that the full authority, and, we believe, good example of our own countrymen, now so largely fixed in its capital, or scattered over its range, will effect wonders of reformation. True it is, that there is plenty of work of this kind in hand for them. The remaining subjects touched upon by

by Mr. Leckie are of a political nature, and contain no particular novelty, either of matter or mode of handling, to detain us in our rapid career.

"An Account of Tunis: of its government, manners, customs and antiquities; especially of its productions, manufactures, and commerce. By Thomas Macgill." cr. 8vo. pp. 190. The title will serve for a table of contents. Mr. Macgill published a few years ago an account of his travels in Spain and the Levant, which was well received; and he hence appears emboldened to try his narrative talents upon the subject before us. The author writes from actual survey, and appears to give in clear unornamented language a faithful statement of the paltry but oppressive government of Tunis. This has for some ages been a nominal dependency upon the Ottoman court; but the Beys have long been gradually throwing off their shackles, and Hamooda Bey, the present chief, has still further diminished its influence, by filling all his principal offices with Georgians, instead of with Turks, as has been hitherto the invariable custom. His standard army, however, amounting to 6000, still consists of Turks; independently of which, he can bring into the field upon a short warning a marshalled rabble of from forty to fifty thousand, three fourths of them armed. The city of Tunis is for the most part a miserable assemblage of mud houses; and the entire population of the state, though usually rated at five millions, cannot, in Mr. Macgill's opinion, exceed two millions and a half; of which 7000 may be regarded as Turks, the same number as Christians, either free-men or slaves; 100,000 Jews, and the remainder Moors, Arabs, and renegadoes. The city itself is sup-

posed to contain 100,000 souls. We rejoice to hear that the Christian slaves in the present day are comparatively but few, the government relinquishing all claim upon subjects in amity with it; and it being only at war with Sardinia and Sicily, the captives from which were very small in number during the writer's residence, and even of these, those belonging to the former power were on the point of being ransomed by an arrangement between the two states.

The public appetite for information concerning the interior of France appears in a considerable degree to have been satiated, though its foreign relationships and politics have occupied the pen of various writers. Of the former description we shall only notice Mr. Faber's "Sketches of the internal state of France, translated from the French." 8vo. pp. 300. This little work is ushered to public notice by a very warm eulogy from Mr. Walsh, of the United States, whose name is well known from his having published, at first anonymously, a work of a similar tendency, and with an equal glow of feeling. We are told, that the original is the composition of a German of some distinction, who, on the commencement of the French revolution, was so powerfully seized with admiration of that imposing event, as to relinquish his own country, to become naturalized in the new political paradise. Like multitudes of our own countrymen, however, he soon recovered from his illusion, and, behold! it was only a dream. Instead of political freedom and unalloyed happiness, he at length found himself involved in the worst of tyrannies, and surrounded by the worst of vices and immoralities; and in remorse for his first error, he fled speedily from France, took refuge in St. Petersburg,

tersburgh, and there published the original from which the present version is derived. This, however, contains not more than half of what the author intended to bring forwards; for the fame of it appears speedily to have reached the ears of Bonaparte, who instantly demanded of his obsequious friend, Alexander, that it should be suppress. The additional volume was hence peremptorily prohibited, and all the copies of the first bought up that could be obtained; but a single copy, and we are told *only* a single copy, had by this time reached England, and was instantly transmuted into the version before us. It is, in truth, impossible not to be struck with the enormities of tyranny, trick, and political depravity, which this volume unveils to us; and which bears the strongest internal evidence of truth and authenticity. Our readers must peruse it for themselves.

Let us quit the continent, and take a brief survey of the annual productions, within the present department, that relate to our own country, and its politics.

The publications on our military power and resources have been numerous, and are in many instances important. We shall first notice "Essays on the Military Policy and Institutions of the British Empire. By C. W. Pasley, Capt. in the corps of Royal Engineers." 8vo. Vol. I. This work is composed with great spirit, and in the full feeling of British ardour and patriotism. It contains much to approve, but nearly, in our opinion, an equal quantity to protest against. The author's object is two-fold; to inquire into the organization of our military force, point out its defects and suggest improvements; and to examine into the policy with which our wars have hitherto been conducted, to trace the

grand causes of the general success of our arms by sea, and our *almost universal* failure by land. He commences with the latter subject, as of most pressing importance; and reserves the former for a subsequent volume. The grand error upon the point before us is, in Capt. Pasley's opinion, that we have been too fond of commerce, and of trusting exclusively to our navy, as though that were the only element on which we can or ought to triumph. From a love of commerce we are accused of grasping at every island and rocky rock in the seas, which has hereby distracted and weakened both our land forces and our exchequer, without bringing any one advantage by way of counterpoise. To all which, however, we considerably demur, since this very thirst of colonial territory has been one, and doubtless the chief mean of feeding the growth of that enormous navy, which at this moment is the wonder of the world, and bids defiance to the aggregate naval power of all the nations on the globe. To the greater part of the rest of Capt. Pasley's observations we accede: we agree with him, that *till of late* we have not paid sufficient attention to our military character and resources;—that we have not properly suited ourselves to the martial fashion of France; that we have squandered our revenues too improvidently in loans or subsidies upon continental confederacies, which, to adopt his own words, would have taken place, though we had been as poor as Lacedæmon, and had not advanced a farthing; and that, wherever we have pretended to lend a helping hand, it has (*till of late*) been too much in the way of dribblets, and in a subordinate character, instead of assuming, as we ought to have done, the great guidance and management

agement of the whole. We have only farther to observe, that this volume was written before Lord Wellington's and Gen. Graham's glorious and important victories in Spain, and when the writer was in a state of despondency; from his having just returned from the inglorious expedition to the Scheldt under Lord Chatham. That he has thought correctly upon the points we have last touched upon is obvious, since it has only been by acting coincidentally with the views here thrown out, that the successes we have adverted to have been acquired.

"The National Defence of an Insular Empire earnestly recommended; with a sketch of a plan to attach real Seamen to the service of their country. By Philip Patton, Admiral of the White Squadron of his Majesty's Fleet." 4to. pp. 102. This is a direct counterpart to the preceding, and both writers obviously reason from the peculiar line of profession to which they belong; and of which they are ornaments. In the opinion of Admiral Patton, all military attempts on the continent are on our part madness, and the only point at which we ought to aim, in our insular situation, is at increasing our navy to a still greater extent, and having a sea-force which, by its numerical as well as by its moral energy, may strike despair on all the world. The details by which the system here recommended is to be carried into effect, in many instances, merit very close attention; and especially the author's recommendation to employ none but men of naval knowledge and experience at the head of the admiralty; and to raise into higher estimation the warrant officers of the navy, and to be more choice in their selection.

"A Commentary on the Military

Establishments and Defence of the British Empire. Vol. I. By the Hon. Henry Augustus Dillon, Colonel of his Majesty's 01st, or Duke of York's Irish regiment of foot, and M. P. &c." 8vo. p. 350. This is a temperate, judicious, and practical work, and bespeaks great strength and comprehensiveness of mind. Aware of the importance of trying our military strength on the continent, the Hon. Col. recommends to increase our armies, and supply the drain which must necessarily ensue; by incorporating the whole force of our militia into the regular corps, and providing for their place by the local militia alone: or, in other words, by doing away the common militia, in order to feed and perfect the regular army. We cannot enter into the question, but its different bearings are examined in a very masterly way, and we have been highly pleased with the chapter on the military force of Ireland.

"Views of a Military Reform. By Edward Stirling, Esq. formerly Captain in the 16th regiment of foot." 8vo. pp. 200.

"A Letter to a General Officer on the Recruiting Service; &c. By Col. F. P. Robinson, inspecting Field Officer of the London Recruiting District." 4to. pp. 24. These are both also highly respectable pamphlets; the chief object of which is to improve the physical strength of the army, by improving its moral strength; by adding mental motives to corporeal courage. In other words, by correcting the morals of the soldiery by education, and a sense of religious principle. Capt. Stirling also proposes, like Col. Dillon, to meet the new aspect of things, by annihilating the old militia, and substituting a more disposable force; in reality, by employing the local militia in its stead.

The

The subject of our commercial relations, the bullion question, and that of the depreciation of our currency, have been treated of by such a multiplicity of writers, that it is impossible to enumerate even all the titles that have appeared. The chief are, Mr. Giddy's "Plain Statement of the Bullion Question, in a letter to a friend." Mr. Siondet's "Letter to the Right Hon. Sir John Sinclair, Bart. M. P. supporting his arguments in refutation of those advanced by Mr. Huskisson." "Farther observations on the subject of the supposed Depreciation of our Currency, and the Causes of the Diminution in the Value of Money;" affirmed to be the production of Mr. Robert Wilson, one of the Directors of the Bank of Scotland, Mr. R. P. Hoare's "Examination of Sir John Sinclair's Observations on the Report of the Bullion Committee." "Observations on the present state of the Currency of England. By the Earl of Rosse." "The Laws and Principles

of Money considered, in a letter to W. Huskisson, Esq. by John Raithby, of Lincoln's Inn, Esq. Barrister at Law." "Defence of abstract Currencies, in reply to the Bullion Report and Mr. Huskisson. By Gloucester Wilson, Esq. F. R. S."—Upon the whole we think, that, although the question is kept nearly upon a balance by the contending evidences and arguments here offered, the advocates in favour of the standard value of the established currency have rather the advantage over those who contend for its depreciation.

"Reflections on the Nature and Extent of the Licence Trade." Bro. This is a very difficult subject. It has some advantages in favour of our own country; but the pamphlet before us points out, apparently from safe authorities, a far greater mass of evils: it is partial, generally impolitic, as more beneficial to the enemy than to ourselves, and highly immoral and dishonest as to its consequences.

## CHAPTER IV.

## LITERATURE AND POLITE ARTS.

*Containing the Transactions of Literary Societies, Biography, Etymology, Philosophy, Classics, Poetry, Drama, Novels, Tales, and Romances.*

THE Royal Society has seldom published a collection of more interesting articles in the department of physics, to which, indeed, they chiefly appertain, than are to be found in the first part of the volume for the current year, which is the only part that has yet reached us. It consists of ten contributions, as follow: I. "The Bakerian Lecture. On some of the combinations of oxymuriatic gas and oxygen, and on the chemical relations of these principles to inflammable bodies." By Humphrey Davy, Esq. LL.D. Sec. R. S. &c." VII. "On a combination of oxymuriatic gas and oxygen gas. By the same." We connect these articles, as relating to the same subject, and proceeding from the same pen. Mr. Davy had been long led to doubt, and from doubting to disbelieve, the existence of oxygen in oxymuriatic acid, the body formerly supposed to contain it more abundantly than any other; and to conjecture, that this acid is a peculiar elementary substance, much more nearly resembling oxygen itself, than any of its compounds usually denominated acids. The papers before us contain farther inquiries into the nature of this newly-discovered material, and its analogy to oxygen; and although there are various difficulties that still remain to be solved, they make a considerable progress

towards establishing Mr. Davy's view of the subject. And as, admitting the fact, it must be improper to call a body *oxymuriatic acid*, "which is not known to contain oxygen, and which cannot contain muriatic acid"—an alteration in its name "seems necessary to assist the progress of discussion, and to diffuse just ideas on the subject;—and hence, "after consulting some of the most eminent chemical philosophers in this country, it has been judged most proper," continues Mr. Davy, "to suggest a name founded upon one of its most obvious and characteristic properties, its (yellowish-green) colour, and to call it *chlorine*, or *chloric gas*." In the second paper, which is the most important of the two, Mr. Davy states experiments, which prove, that oxymuriatic-gas, and oxygen-gas, may be made to unite, and form a very singular compound, the peculiar properties of which (and many of them are of a very extraordinary nature) he conceives establish in a much higher degree all the conclusions he has ventured to make respecting the undecomposed form of oxymuriatic-gas. III. "The Croonian Lecture, on some physiological researches respecting the influence of the brain on the action of the heart, and on the generation of animal heat. By Mr. B. C. Brodie, F. R. S." This

is also a very curious and ingenious paper; and we have accordingly introduced it into the department of Literary Selections. III. "On the expansion of any functions of multinomials. By Thomas Knight, Esq. Communicated by Humphry Davy, Esq. &c." A very useful appendage to M. Arbogast's learned work, *Du Calcul des Dérivations*. IV. "On a case of nervous affection cured by pressure of the carotids; with some physiological remarks. By C. H. Parry, M. D. F. R. S." This case wants farther sanction. The *physiological remarks* are contained in the following brief paragraph, with which the case closes: "From these and other similar facts, I am disposed to conclude, that irritation of the brain, from undue impulse of blood, is the common, though not the only cause of spasmodic and nervous affections: and I can with the most precise regard to truth add, that a mode of practice conformable to this principle has enabled me, during more than twenty years, to cure a vast number of such maladies, which had resisted the usual means." V. "On the non-existence of sugar in the blood of persons labouring under diabetes mellitus. In a letter to Alexander Murcet, M. D. F. R. S. from Wm. Hyde Wollaston, M. D. Sec. R. S." VIII. "Experiments to prove that fluids pass directly from the stomach to the circulation of the blood, and from thence to the cells of the spleen, the gall-bladder, and the urinary-bladder, without going through the thoracic duct. By Everard Home, Esq. F. R. S." The object of both these papers is in a considerable degree the same, namely, that substances of various kinds may pass, and are perpetually passing, from the stomach to the kidneys, without taking the course of the general cir-

ulation. This was proved in the experiments recited in the first of the two papers, by introducing into the stomach of an adult small doses, as three grains and a half, of prussiat of potash, and repeating it every three hours to the third time, and tasting the urine that followed every half hour with a solution of iron. The urine being examined every half hour, was found in two hours to be tinged, and to afford a deep blue at the end of four hours. At this time blood was taken from the arm, but gave not the smallest proof of the salt, even in the separated serum. The experiment applied to the diabetes mellitus is designed to prove, that the organs chiefly affected are the stomach, or chylopoietic, and the kidneys; and that the sanguineous system is only influenced in a secondary way. Mr. Home has proved the same physiological fact, by tying up the thoracic duct of a dog in various places, then introducing rhubarb into the stomach, and afterwards tracing the presence of the rhubarb in the urine, although on carefully dissecting the animal the ligatures had not been found to give way, and of course the rhubarb could not have entered into the sanguineous system. VI. "On the rectification of the hyperbola, by means of two ellipses, proving that method to be circuitous, and such as requires much more calculation than is requisite by an appropriate theorem: in which process a new theorem for the rectification of that curve is discovered. To which are added, some further observations on the rectification of the hyperbola, &c. By the Rev. John Halline, B. D. F. R. S. Being an appendix to his former paper on the rectification of the hyperbola, inserted in the Phil. Trans. for 1802; communicated by Nevil Maskelyne, D. D.

D. D. F. R. S. Astronomer Royal?

This paper will not admit of abridgment; and its length of title sufficiently points out its object. IX.

"On the composition of Zeolite.

By James Smithson, Esq. F. R. S."

According to this article, zeolite, at least that examined, consists of silica 4.90, alumina 2.70, soda 1.70, ice, 0.95. Mr. Smithson suggests, that quartz may be an acid; and that, in such case, zeolite would be regarded as a compound salt, a hydrated silicate of alumina and soda, and hence a compound of alumina not very dissimilar to alum. X.

"Experiments and observations on the different modes in which death is produced by certain vegetable poisons. By Mr. B. C. Brodie,

F. R. S." This is also a very ingenious and valuable communication.

The experiments are neat and numerous, and they prove very satisfactorily, that different poisons operate in a very different way upon different organs, and through such organs on the system at large. We lament that our limits will not allow us to enter even into a brief summary.

The XXVIIth volume of the "Transactions of the Society for the encouragement of Arts, Manufactures, and Commerce," divided, as usual, into the various departments of agriculture, chemistry, mechanics, polite arts, colonies and trade, &c. contains a considerable number of valuable papers, in the midst of many that are of a more questionable character. We can only find space to give a very brief glance at a few of them. It is pleasing to see, from the agricultural division, that the practice of raising timber-trees is in several instances carrying on with great spirit. Mr. Curwen, M. P. expatiates on the advantages that result from planting larches on

indifferent mountain pasture land, he having, on the banks of Windermere, appropriated 400 acres of this land to the plantation of 1,269,000 trees, above one half of which are larches. Dr. Thackery, of Chester, asserts, in like manner, that he made, in the counties of Denbigh and Merioneth, between Nov. 1804 and May 1808, on mountainous land, on the declivities of hills, and in dingles incapable of being improved by the plough, plantations of ash, chesnut, elm, and other forest trees, to more than an extent of 170 acres: while Mr. Congreve, of Aldermaston House, Berkshire, particularises the process of planting 75 acres with acorns. In the mechanical division it becomes us to notice, that Mr. Gilbert Gilpin, in a valuable letter on cranes and flexible chains, has offered plans of improvement that are well worth attending to; and has given experiments to prove, that chains, when worked in grooves, are cheaper, safer, and more durable, than hempen ropes. We rejoice also to find, that the attention of the society is still directed to methods for sweeping chimneys, without the employment of climbing-boys: and from the improvements which seem to have taken place in various plans some time since suggested, we indulge a hope, that this valuable desideratum will ere long be fully accomplished. We meet with two distinct schemes for a sort of animal telegraph: the first, called an *Anthropo-Telegraph*, is the invention of Mr. Knight Spencer, of Bromley Lodge, near Bow, and forms a mode of communication in the day or night by disks: the second, denominated a *Homograph*, is the invention of Lieut. James Spratt, of the royal navy, whose gallant conduct in the battle of Trafalgar is recorded in a letter,



letter which accompanies the communication. Mr. Spencer employs his men to make signals with disks held in different attitudes; while Lieut. Spratt directs his code of signals to be performed with a white pocket handkerchief, to be kept in different positions relatively to the body. The former possesses the greater extent of compass; the latter the greater degree of ease and simplicity. Mr. Miller, of Bedford, has described an apparatus of his own invention, "for raising the bodies of persons who have sunk in water, and for assisting persons in danger in water." This machine combines the properties of the rope, pole, and bar-drag, accommodates itself to uneven ground, fishes an extent of ten feet at one sweep, and can be drawn by a single person. In addition to this drag Mr. M. has contrived a *Reel Safe-guard* for the security of persons going to the assistance of those on the point of being drowned, or diving for them; and a *Missile Rope*, capable of being flung to a person in distress, at a considerable distance from shore. These inventions are perspicuously explained by illustrative plates.

Natural History has also been highly benefited of late by the establishment of two national societies, each of which has already contributed a valuable and important volume of memoirs. These are the Wernerian Natural History Society of Edinburgh, and the Geological Society of London. The first was established in 1808, and contains a very respectable list of honorary, resident, non-resident, and foreign members, embracing the greater number of those, who at home or abroad have acquired much celebrity in the study of physiology in the most extensive use of the term. One volume only has hitherto been

submitted to the public, but it is of a respectable and promising character; and though we can find time for nothing more, we will run over its table of contents, that the reader may form to himself some further idea of its various bearings. The articles are not less than thirty-four; the size of the volume a thick octavo of about 630 pages. I. On contemporaneous Veins. By Professor Jameson. II. Analysis of Moor Spar. By Dr. Thomson. III. On the Asclepiadeæ, a natural order of plants separated from the Apocynaceæ of Jussieu. By Robert Brown, Esq. IV. An account of five rare species of British Fishes. By George Montagu, Esq. V. Elucidation respecting the Pinna ingens of Pennant's Zoology. By J. Lankey, Esq. VI. Mineralogical Queries proposed by Professor Jameson. VII. On the Transition Greenstone of Farnsey. By Dr. Ogilvy. VIII. Description of a small-headed Narwal, castaways in Zealand. By the Rev. Mr. Fleming. IX. On colouring Geognostical Maps. By Professor Jameson. X. Mineralogical account of Papa Stour, one of the Zetland Islands. By the Rev. Mr. Fleming. XI. Observations on some peculiarities observable in the structure of the Gannet; and an account of an insect discovered to inhabit the cellular membrane of that bird. By George Montagu, Esq. XII. Account of a species of Fasciola, which infests the trachea of Poultry, with a mode of cure. By the same. XIII. Some account of a Fin-Whale, stranded near Alloa. By Patrick Neill, Sec. W. S. XIV. A list of the rarer Plants observed in the neighbourhood of Edinburgh. By Robert Maughan, Esq. XV. Meteorological Journal, kept during voyages from Whitby to Greenland, and back again, in 1807, 8, and 9. By Mr.

Mr. W. Scoresby, jun. XVI. Observations on the natural and medical history of the Zeland Sheep. By Dr. Edmonston. XVII. On the mineralogy and local scenery of certain districts in the Highlands of Scotland. By Dr. Macknight. This view includes Benledi and its environs; the country from the pass of Leny to Balgachist; and that about Strath-tian and Ben-nevis. XVIII. Account of North British Testacea. By J. Leskey, Esq. XIX. Remarks on some parts of the animal that was cast ashore on the island of Stronsa, Sept. 1866. By Dr. Barclay. This is a very curious marine animal, apparently of the ectocarpous class, from its possessing a neck and spiracles, but bearing little resemblance. Mr. Hume appears to have been mistaken in regarding it as a variety of the *squalus maximus*, or great shark. Its length was 55 feet. XX. On the Topaz of Scotland. By Professor Jamieson. XXI. Remarks upon the Pudding or Conglomerate Rock, which stretches along the south front of the Grampian Hills. By Lieut. Col. Inrie. XXII. Of the Strontine Lead-glance formation. By Professor Jamieson. XXIII. On Crysolite. By the same. XXIV. On the Veins that occur in the newest Floek-trap formation of East Lothian. By Dr. Ogilby. XXV. On the Coal-formation of Clackmannanshire. By R. Ball. XXVI. On the gaseous combinations of Hydrogen and Carbon. By Dr. Thomson. XXVII. List of Fishes found in the Frith of Forth, and rivers and lakes near Edinburgh, with remarks. By Patrick Neill. See W. S. XXVIII. Catalogue of Animals of the class *Vertebres*, found in the Frith of Forth, and other parts of Scotland. By Professor Jamieson. XXIX. List of Insects found in the neighbourhood of Edinburgh. By Mr. C. Stewart.

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XXX. - Account of the *Balaena Mysticetus*, or Great Northern or Greenland Whale. By Mr. W. Scoresby, jun. XXXI. Summary of experiments and observations on the Germination of the Gramineae. By Dr. Yule. XXXII. Account of the Coal-formation at Durham. By Thomas Mackenzie, Esq. XXXIII. Meteorological Observations on a Greenland Voyage in the ship *Resolution*. By Mr. W. Scoresby, jun. XXXIV. Analysis of Compact Felspar from Pentland Hills. By Charles Mackenzie, M. D.

The Geological Society, as we have already observed, is of somewhat later date than the preceding. The volume before us is printed in a most costly and elegant manner in 4to. pp. 412, besides a thinner accompanying volume of views and sections, beautifully, and in several instances picturesquely engraved. It consists of eighteen articles, consisting for the most part of geological descriptions of particular districts, and chemical analyses of particular minerals: the contributors being J. M. Cullock, M. D. F. L. S. William Phillips, Esq. Henry Holland, Esq. Nicholas Nugent, M. D. Le Comte de Bournon, J. F. Benger, M. D. Arthur Aikin, Esq. Alexander Marcet, M. D. F. R. S. William Fitton, M. D. Leonard Horner, Esq. James Parkinson, Esq. Smithson Tennant, Esq. F. B. S. Hop. Henry Grey Bennett, W. H. Popp, Esq. F. R. S. We congratulate the Society on its promising prospects; and especially on the very extensive and valuable list of donations in books, maps, and mineral specimens, with which the volume closes.

"Essays of the London Architectural Society, with four plates. Part II." royal 8vo. pp. 159. The origin of this useful establishment, and the former part of its elegant and

and valuable labours, we have already noticed. The best Essays are 1. from the pen of Mr. Joseph Woods, who has contributed "An Essay on Modern Theories of Taste," in which he examines with much critical acumen, those of Mr. Price, Mr. Alison, and Mr. Knight; and having subverted various principles in all these, offers a theory of his own, with which we are not perfectly satisfied. 2. Essay on Bridge-Building, by Mr. James Savage, of which, however, the first part is only printed; and 3. on Genuine Architecture, by Mr. James Elms, but of whose dissertation, only the second part is given:—a lopping and topping, which we cannot too much protest against.

The department of biography, which was rich last year, has been scarcely less so in the present, and even more productive in regard to characters of our own times.

Mr. Trotter's "Memoirs of the latter years of the Right Hon. C. J. Fox," 8vo, is, on account of the subject of the work, if not on account of the work itself, first entitled to our attention. This gentleman was private Secretary to Mr. Fox during that period of his life to which the present volume is principally, though not exclusively, directed: and it must be admitted that every page imports confidence on the part of the illustrious statesman with whom he resided, and the most ardent zeal and gratitude, and the most profound veneration for his patron on the part of the biographer. The work is replete with interest, and we are not surprised that it should have obtained a third, if not a fourth edition already. But Mr. Trotter, though he may pass as a warm and animated memoirist, is by no means qualified for a grave and impartial historian. The bias of friendship is

perpetually leading him, not merely into an enthusiastic admiration of every part of Mr. Fox's conduct, domestic, senatorial, and ministerial, but into what is far less to be justified, a bitter condemnation of every one who deviated from him of whatever sect or party, and whether upon points that the maturer judgment of the country at large has either sanctioned, or censured. That Mr. Pitt should have been largely bespattered in the course of this unruly prance is not to be wondered at: but that Lord Sidmouth, Lord Grenville, Lord Grey, Lord Lauderdale, Mr. Grattan, Mr. Sheridan, and even Lord Holland, should have received so considerable a portion of the flying mire, we had no reason to expect. The only persons who have been fortunate enough to escape from the general proscription appear to be Lord Fitzwilliam and Mr. Percival: the former of whom is chiefly praised on account of his mild, unassuming, and less noticeable qualities than those of Lord Grenville or Lord Grey; and the latter as being chiefly a gentlemanly minister. Even the physicians who attended Mr. Fox in his last illness have come in for a part of the general commination: and are indirectly stated to have hastened his death by an injudicious exhibition of foxglove. "As Mr. Fox's age was not more than fifty-seven, and his constitution a very vigorous one, there is some reason to think that he might have enjoyed a meliorated, and not very distressing state of health for a considerable time, if the palliative rather than the experimental course had been pursued." Public advertisement, however, subscribed by the physicians and apothecary who attended Mr. Fox, if we recollect aright, have explicitly asserted, that no such medicine was ever prescribed:

scribed: and, yet Mr. Trotter admits that on one occasion so haunted was his mind with this erroneous phantasm of foxglove, and the mischief it might occasion, though intrusted with the care of giving Mr. Fox his medicine with punctuality through one night, he purposely delayed it till Mrs. Fox arose, "and three or four hours had passed beyond the appointed time!"

There can be no doubt that he took up a variety of other errors as rapidly, and with as little discrimination. There is also somewhat too much of personal vanity and self-importance in the general history; in which every friend of Mr. Fox is put into the back-ground to make way for himself; and we cannot but loudly protest against the finery and affectation of the writer's lamentations in the last chapter—and especially the boyish conceit of whole lines of asterisms at the close of different sentences:—as though he were abruptly breaking off to give us a lecture upon the constellations.

We are chiefly dissatisfied, however, with Mr. Trotter's *rant* (for we can call it by no softer term) about Mr. Fox's religion. We believe we may say that we think altogether as highly of Mr. Fox's goodness, and benevolence, and uprightness, and suavity of heart, as Mr. Trotter can do: but religion is a point which, if the biographer had been prudent, he would have touched with a brief and delicate hand. Instead of this Mr. Trotter is perpetually obtruding upon us declamations upon the devout piety and Christian graces of his patron. "What could disturb the last moments of such a mind? what was to revive one anxious doubting thought? had he not followed all the precepts of Christianity and carried its divine

doctrines into the very cabinet and the closet of his sovereign?" p. 433. "He bore his pains as a Christian and a man," p. 450; "behold how a patriot and a Christian can meet his last hour!" p. 453. "The scene which followed was worthy of the illustrious name of Fox.—Then was the pious resignation of the *Christian*, who fearlessly abandons his fleeting spirit to a merciful Deity, visible throughout the day; the unbeliever, "who came to scoff," must have remained to pray. It was now Mr. Fox gathered the fruits of his glorious life: his departure was hurried by remorse, he had sacrificed every thing that was personal to his country's good, and found his last moments blest by the reflexion that *his last efforts had been conformable to the divine religion he professed*, to give peace to an afflicted world. The hovering angel who waited to to receive his spirit, saw that he had tarried long enough upon earth; the evening advanced, and sinking nature announced that his end approached, "I die happy," said he, fixing again and again his eyes upon Mrs. Fox," p. 465. "If the beautiful scripture expression, "Lord let me die the death of the righteous, and let my last end be like his!" *was ever more strongly exemplified in one instance than in another*, it was in the last moments of Mr. Fox;" p. 478.

Now putting all the figured brocade of these passages aside, they should certainly seem to indicate, in plain and sober truth, that Mr. Fox passed the time of his sickness; and at length died, in a most exemplary manner, as a devout and serious CHRISTIAN; and as such frequently conversing upon the doctrines, the duties, the graces, and the sublime hopes of the gospel, fervently and habitually in supplication at the throne of grace, and repeatedly and solemnly

valuable, engaging in, and deriving comfort from the holy sacrament administered to him by some grave and excellent, and confidential clergyman, to whose friendship and sacred office, he could freely surrender every feeling of his soul. The terms *CHRISTIAN* and *CHRISTIANITY*, and especially as made use of in the pre-eminence degree in which they are here so frequently employed, imply all this; and in truth much more than all this: yet when we turn from Mr. Trotter's sublime assertions to the facts on which he grounds them, we can find nothing to justify the one, or to believe, that the other is fairly reported. "The days and evenings," says he, "were now devoted to reading aloud, *Paradise and Arcadia*, improved by Dryden; *Johnson's Lives of the Poets*, — *the Abolition*, — and *Swift's poetry*," p. 234. The same edifying kind of Christian consolation, without any change or intermixture whatever, is stated to have been continued to the latest moment of life; not a single book of religion of any kind, Christian or pagan, is intimated to have been glanced at; the name of the Bible, and of every thing connected with it, is as much kept out of sight, as though it had been high treason to have uttered a wish in favour of it. Mr. Fox, according to Mr. Trotter's own account, (for we did not know it otherwise), was conceived by Dr. Parr to have "disbelieved the miracles and mysteries of religion;" and the biographer who has quoted the charge with the sole view of opposing it, observes in reply, as the only answer he is able to muster up in favour of this exemplary Christian character, that on one occasion, "when the immortality of the soul was touched upon, Mr. Fox, then very ill, spoke upon it with great seriousness and earnestness

for demonstration, which carried him on all eighty subjects I perceived," continues he, "no disposition to express any unbecoming doubts, but on the contrary, that humble and modest tone which, upon so weighty a topic, becomes all men." And this, after all, is the whole he is able to say from positive knowledge upon the subject. Yet, on one occasion, (and it is the only one hinted at), Mr. Fox, it seems, was attended by a minister of the Christian religion. He was incidentally at Chiswick; "it was evident," says Mr. Trotter, "that nature was overwhelmed, and that the remaining struggle could not be long. Mr. Bouverie, a young clergyman, then in the house, was brought in. Prayers were read. Mr. Fox was quiet and resigned, but evidently disliked speaking."

Mr. Fox was a consummate statesman, in every respect a very honest man, and in almost every respect a most excellent man. To this character we can heartily subscribe; but we have not been able to repress our disgust at the absurdity of bolstering him up with the high character of a Christian of the sweet gifts and graces, and supporting such a pretension by such an evidence. It has been often observed; and nothing is more true, that one single injudicious friend does more mischief to a cause than a host of open undisguised enemies.

We cannot quit this very singular volume without admitting, upon the evidence offered, that there does appear to have been a great want of cordiality, and even of similarity, of political views, between Mr. Fox and the more illustrious of his colleagues; and that it is highly probable, had his life been spared, the extraordinary condition which had taken place between them would not

not long have continued. There is some awareness in Mr. Trotter's manner of treating this subject: yet it is the only source we at present possess of knowing any thing whatever concerning it: for in the more courtly language of Lord Holland, we are told, alluding, as we suppose to this very fact, "the objections to such an undertaking (as a full explanation of Mr. Fox's political life and conduct) at present, are obvious; and after much reflection, they have appeared to those connected with him insuperable."\*

"The Life of Arthur Murphy, Esq. by James Foote, Esq." 4to. As the talents of Mr. Murphy were various, his pursuits were equally so. He at first studied for the bar, and was, indeed, regularly admitted, and practised for a few years. He never, however, appears to have been much attached to legal studies, and his desultory genius was perpetually hurrying him away to other pursuits—chiefly these of the stage, and of casual criticism on the taste and manners of the times. He at length became totally disgusted with his legal profession upon finding that a junior counsel was selected by the Lord Chancellor, in preference to himself, for a silk robe, and he instantly quitted it. Of his critical lucubrations, the best and most fortunate work was a periodical paper boldly brought out, during the publication of the *Advertiser*, and whilst the *Spectator*, *Palladium*, *Gleaner*, and *Rambler*, were in the highest state of popularity and impression, to which he gave the name of *The Gray's Inn Journal*. It is of variable merit; but contains several pieces of considerable excellence: the two best are selected and reprinted in the work before us, consisting of a humorous attack on the Jewish Naturalisation Bill, then before Parliament; and a critical inquiry into the

predominant errors of the *Medea* of Shakspeare's *King Lear*, upon which last, Johnson is one of his Beaulieu's bestowed a flattering compliment.

It was to the stage, however, that Mr. Murphy directed his chief and much successful attention—not indeed as an actor, for in this he completely failed after a few trials—but as a writer, and in reality one of the most successful writers of the present times. In his last line his chief d'œuvre is "*The Gypsy Daughter*," a piece that perhaps bids fairer for longevity than any modern drama whatever. Mr. Murphy appears to have been a man of a thoroughly independent mind—of restless habits and irritable feelings. He was hence perpetually involved in disputes with brother poets and brother dramatists. Churchill was his determined enemy, and Garrick would have been his determined friend, if he would have allowed him: but from the keen and lofty feelings of the one, and perhaps an undue degree of pride on the part of the other, the connexion was of a very chequered kind—a times of amity and hostility. Mr. Murphy is, to a certain extent, his own biographer. He drew up a sketch of his life to a very late period of it. The volume before us opens with this outline, and the remainder of it, which is furnished by Mr. Foot, takes the introductory sketch as a kind of text-book, and fills up the hints with an agreeable detail.

"The Life of William Waynflete, Bishop of Winchester, Lord High Chancellor of England, &c. by Richard Chandler, D.D." 8vo. This is a work rather addressed to the antiquary than to the general reader; it was composed at least twenty years ago, and the MS. was highly approved by the late Dr. Horne,

Horne, Bishop of Norwich, to whose judgment it was submitted; why, however, it was not published upon the strength of such approbation we have not been able to learn, nor has the editor, Charles Lambert, Esq. of the Inner Temple, been able to inform us. We do not exactly know how long Dr. Chandler has been dead: but "a short time previous to his death, (observes Mr. Lambert,) he placed the manuscript in my hands, with a request that I would arrange the notes, and prepare the whole for publication in the best and speediest manner possible: in compliance with which request it is now laid before the public." The style is plain, and the matter, for the most part, simply historical and chronological. Bishop Waynflete is well known to have been one of the most magnificent founders of public institutions of any character whatever in any age whatever. He was contemporary with Edward IV, Henry VI, and Richard III: and such was the suavity and conciliation of his manners, that he appears to have passed through this age of political turmoil with less personal disturbance than perhaps any other public character whatsoever. He was the founder of Magdalen Hall, and afterwards of Magdalen College at Oxford; and of the Chapel and School-House of Waynflete, in Lincolnshire.

"The Life of the Right Reverend Beilby Porteus, D. D. late Lord Bishop of London: by the Rev. Robert Hodgson, A. M. F. R. S. &c." 8vo. Those who are for ever hunting for incident and adventure, and can only live upon variety, must put this book by, for it will not answer their purpose. But those who are pleased with the calm quiet of virtue and piety, walking in undisturbed career through a long life of merited success and sunshine, and

diffusing, from a highly important and pre-eminent station, a taste for moral excellence of every kind in every direction, perpetually reclaiming and alluring to what is right by example, as well as by precept, courageously remonstrating on every necessary occasion, with the great as well as with the little, will here meet with a picture that will delight them to the heart: and Mr. Hodgson, who we know to be, by marriage, a near relative of this very excellent prelate, could not have engaged in a more dutious province than in drawing up the simple, but gratifying annals before us. The Life is intended as an accompaniment to a complete edition of the Bishop's works, which are now in the press.

"Memoirs of the Life, Writings, and Correspondence, of William Smellie, F. R. S. and F. A. S. by Robert Kerr, F. R. S. and F. A. S. Ed." 2 vols. 8vo. This work goes somewhat farther in pursuit of patronage than is usual with modern writers; for it is dedicated to a celebrated literary character who has been dead for the last thirty years—"to the Memory of the Hon. Henry, Lord Kames." Mr. Smellie is well known by professional occupation to have been an eminent printer, and by taste and genius a scholar, and a natural philosopher of considerable extent and variety: in consequence of which it is not to be wondered at that he should have been on terms of intimate acquaintance with most of the literary characters of his time; it is also, as his son Mr. Alexander Smellie justly observes, towards the commencement of the biography before us, "perfectly well known, that many publications of great merit were considerably improved by him, not merely as a servile corrector of the press, but by critical revision, and material amendment of language, argument,

argument; and arrangements." He was author of various publications of genuine value; he contributed many articles to the *Encyclopædia Britannica*, for which indeed we are chiefly indebted to him, as the first edition was entirely compiled and conducted by himself; and he re-wrote almost the whole of his friend Dr. W. Buchan's *Domestic Medicine*, in order that it might be reduced from an unwieldy mass into the shape and size in which it first appeared. He planned or superintended many of the best periodical works that appeared in Edinburgh during this period; read lectures for Dr. Hope, professor of botany, during a term of six weeks, in which the Doctor was confined by an accident; afterwards read lectures on natural history for himself, with considerable approbation; and was a candidate to succeed Dr. Ramsay in the vacant chair of natural history in 1775, which however he lost, probably owing to the politics of the day. His most important work is "*The Philosophy of Natural History*," two vols. 4to. the first of which was published in 1790, and the second after his death, which occurred in his fifty-fifth year, June 24, 1795.

"*Memoirs of the Political and Private Life of James Gaultfield, Earl of Charlemont, Knight of St. Patrick, &c.* By Francis Hardy, Esq. Member of the House of Commons in the three last Parliaments of Ireland." 4to. These are *Memoirs of a great and good man;—an unassuming but inflexible patriot; a modest but enlightened statesman; a sincere friend, and an elegant scholar.* Mr. Hardy has performed his task with credit to himself and deserved honour to his patron. In the present place we have no occasion to add anything

farther, as we have already quoted from this work to a considerable extent in a prior department of the *Register* for the year.

"*Memoirs of the Life of Thomas Beddoes, M. D.* with an analytical account of his writings. By John Edmonds Stock, M. D." 4to. As a husband, father, and friend, the life of Dr. Beddoes was truly valuable, for he discharged the duties characteristic of these offices with great assiduity and affection;—as a man of general literature, his acquisitions were considerable; but, as a medical theorist and practitioner, we cannot be quite so complimentary: he discovered much fancy, but little judgment; his views were always visionary; and his assumptions sanguine: he grasped at every novelty that was started, pursued the phantom through all its fleeting forms, and always found it conducting him to some bog or dangerous precipice. He died at Cheltenham, in the 49th year of his age, of an affection of the lungs, which he is said to have mistaken, although the very disease to which for a long period he had peculiarly directed his attention. Dr. Stock has paid to the memory of his friend, a respectful tribute of attention; but has in some parts of his defence advanced somewhat too far, by charging these who thought differently with dulness and ignorance.

"*Memoirs of Prince Eugene of Savoy.* Written by himself. Translated from the French by William, Muford." 8vo. On the continent these memoirs are regarded as genuine. They begin and end with great abruptness; the latter failure is apologized for by the writer himself from the attack of a painful disorder; the former we are still left to divine or not as we please. They contain



contain many judicious and original remarks, which may be said to furnish a sort of intrinsic evidence.

We proceed to the philology of the current year; and shall commence with

"*Idiomata Græcorum. Greek Idioms*, exhibited in particular passages from the best authors: with English notes and a parsing index: to which are added Observations on some Idioms of the Greek language. By the Rev. William Neilson, D. D. M. B. I. A." 8vo. This work, though somewhat too summary, is well calculated, so far as it goes, to familiarize young students in the idiom of the beautiful and comprehensive language of which it treats. The writer is largely indebted to the labours of Vigerus and Hoogveen, and he could not well have applied himself to better sources. The concluding observations are designed as a generalised view of the different kinds and principles of Greek idioms: the arrangement is excellent, but the attempt is extremely imperfect from its great brevity.

"*Latin Synonyms, with their Significations, and Examples taken from the best Latin Authors*. By M. J. B. Gallia Dumessit. Translated into English, with additions and corrections: by the Rev. J. M. Gosset." The author of this very excellent collection was late principal of the college of Louis le Grand in the University of Paris; and the high and deserved reputation it has attained on the continent justly entitles it to an English version; nor could it well have fallen into better hands for this purpose than the present translator. The volume contains upwards of two thousand five hundred examples, chosen with great judgment, and distinguished and explained with great critical acuity. Mr. Gosset's additions and

corrections considerably improve the value of the work.

"*Essays, Literary and Miscellaneous*.. By J. Aikin, M. D." 8vo. 470 pp. These productions have appeared before in a periodical miscellany: but most of them are altered and improved; and the first two are enlarged by nearly one half. The subjects treated of are the following: "On Similarity in Poetry," instances of which are brought from Homer, Virgil, Milton, and various other poets, from all the elements, man, animals, and vegetables. "On Poetical Personifications," divided into three classes, natural, mixed, emblematical. "On the humour of Addison." "On the comparative value of different productions in the fine arts." "On the equivocal character of Insanity." "Verbal Remarks on the words *republic* and *commonwealth*; *people* and *populace*; *loyal* and *loyalty*; *reformation* and *reform*; *abdicable*; *infidelity*; *infidel*; *blasphemy*; *blasphemer*; *impiety*; on the language of words from the learned languages unchanged, with the English." "On Reasoning from Analogy." "On Duelling." "On the Freedom of the Press in England." The correctness of taste, and neat and classical style which distinguish all the productions of Dr. Aikin's pen are here equally conspicuous.

"*Lucianus Redivivus: or Dialogues concerning Men, Ministers, and Opinions*." 8vo. The colloquies here offered, take place between Voltaire and Bonstean; Frederick II. of Prussia and Machiavel; Johnson and Garrick; Goldsmith and Keenick; interspersed with others between ideal characters. The writer has prudently concealed his name in an understaking that requires great skill, learning, and genius. He is not only a

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(he tells us,) to think of placing himself on a level with Lucian; and if he had not been vain enough to have adopted his name, which looks something like the vanity he disavows, he would have been still more at home, and in the character more designed for him.

"Literary Repreations; or moral, historical, and religious Essays. By Henry Card." This volume is dated from Margate; and it seems admirably calculated for such a meridian. Common-place, and common merit, whatever be the subject touched upon.

"A Tour in quest of Genealogy, through several parts of Wales, Somersetshire, and Wiltshire, in a series of Letters to a Friend in Dublin: interspersed with a description of Stourhead and Stonehenge; together with various anecdotes, and curious fragments from a M. S. collection ascribed to Shakespeare. By a Barrister." 8vo. Some who have imposed upon the public by forging manuscripts of this kind, have been afterwards tempted by vanity to disclose them; we shall never have to accuse this writer of the same vice, for he will never have the same reason. The public may possibly be benefited by him as a lawyer, but can never be imposed upon by him as an antiquary.

"Essays on the Superstitious of the Highlanders of Scotland; to which are added, Translations from the Gaelic, and Letters connected with those formerly published. By the Author of "Letters from the Mountains," two vols: 12mo. We had rather Mrs. Grant had chosen some other subject than the present, upon her once more determining to appear in print, for she has already said so much upon the same theme, that she is by no means free from self-repetition, both of sentiment

and language. All we wonder at, indeed, is, that she has been able, under these circumstances, to deliver herself with so much originality as we actually meet with. For the rest—we find her still possessing, as on former occasions, great powers of description, both of characters and scenery;—strong force of conception, and sentences of reasoning; vivid occasional brightness; perpetual activity of fancy; and a fine enthusiasm for virtue, simplicity, and the Highlands. It is unnecessary to add more, as we have copied from the work pretty freely in another department of our Register.

"Memorandum on the Subject of the Earl of Elgin's Pursuits in Greece," 8vo. 69 pp. Rome is no longer a field for cultivating the powers of the British artist; and, plundered and exhausted indeed as it has been by the force of French tyranny, it could scarcely be a proper field for him, were the long-wished for season of secure peace once more to visit us. The tract before us, however, sufficiently shows that we are by no means absolutely dependent upon the Italian chisel for works of human perfection to copy after; it evinces abundantly that the relics of Greece, may even now vie, as they at one time incomparably surpassed, those of Rome; and if the elegant traveller and scholar before us should continue his researches and collections much longer, his own country will be able to rival, by fair purchase, and with the co-operation of the established government, all the productions which the fraud and force of Bonaparte have imported into the French metropolis. We cannot too powerfully recommend to our readers the narrative of Lord Elgin in his pursuit after Grecian excellencies of sculpture and

and architecture; and which we have freely copied into the literary selections of the present volume.

"The Hindu Pantheon. By Edward Moor, F. R. S. Member of the Asiatic Society of Calcutta, &c." Royal 4to. This is a useful work for those who are desirous of being acquainted with Hindu mythology. Mr. Moor who has studied his subject with no small degree of attention in India, we believe at Benares, has availed himself of every assistance he could obtain from the valuable volumes of the Asiatic Researches, the elegant labours of Sir W. Jones, and other oriental scholars of acknowledged merit, and by admission to various museums formed by noblemen and gentlemen who have been in India, as well as to the museum and library of the East India Company. His observations are enriched and illustrated by a very extensive series of well-executed engravings.

"The Ramayuna of Valmeeki: with a Prose Translation and Explanatory Notes. By William Carey and Joshua Marshman." Vol. II. containing part of the second book," 4to. 522 pp. 30 Rupees. Serampore. We only notice this elaborate volume, to show that the splendid and extensive undertaking, under the patronage of the British Indian government, of giving the most esteemed and learned of the Braminical scriptures authentic and apocryphal, is still proceeding. The general subject, and the first volume we have noticed on a former occasion; and shall now only observe, that the missionaries engaged upon the present bulky mythos, expect that they will be able to complete a translation of the whole of it in eight additional volumes, which are to appear with as much speed as possible.

"The Metamorphosis of Sona; a Hindu Tale. With a Glossary description of the Mythology of the Sastras. By John Dudley, Vicar of Soleby, in Leicestershire," 12mo. 160 pp. This poem, which gives an account of the Metamorphosis, and is formed from a legendary tale from the Varyena Purana, consists of not more than nine hundred lines, and is rather sketched out for the glossary, than the glossary for the poem. The Hindu names are made to slide into smooth, and elegant English metre; the descriptions are generally correct, and the scenery is picturesque.

Among the most valuable classics of the year, we shall first notice

"ΕΥΡΙΠΙΔΟΥ ΗΚΥΒΗ. Euripidis Hecuba, &c." "The Hecuba of Euripides, corrected from the MSS. with brief Notes, chiefly explaining the reasons of the Corrections. By Richard Porson, &c." 8vo. The title-page of this work bears the date of 1808; while an advertisement, prefixed to it by the booksellers, bears the date of the current year. The fact is; that the very valuable preface to the Hecuba appeared in 1797; and its still more valuable supplement, the length of which is four times that of the preface itself, was added in the edition of 1802. The edition before us, so far as relates to the text of the poet, and the annotations of the illustrious editor, were actually printed, as the title specifies, in 1808; but the work not having been completed at this time, and the death of Mr. Porson having prevented him from completing it himself, his friends have undertaken to complete it for him, by reprinting both the preface and supplement, with such additions as Mr. Porson's papers were found to supply. These however are but few, and

and if printed by themselves, would scarcely amount to more than two additional pages.

"*Tentamen de Metris ab Æschyle in Choricis Cantibus adhibitis*," 8vo. 619 pp. "Essay on the Metres employed by Æschylus in his Chorus." This laborious production has proceeded from the classical pen of Dr. Burney, than whom no man is better qualified for so severe a task, and who is well known to have devoted a great part of many years to its accomplishment. Instead of trusting to the guidance of the ear, or forming fanciful and preconceived theories, he has pursued the more correct and far safer method of obtaining just notions of Greek harmony, by a diligent collation and comparison of the metrical remains of the dramatic poets; upon which store he has founded his dicta, and which being thus built upon a rock, he afterwards applies, with singular success, to the elucidation of a multitude of involved and difficult points.

"*Hæphæstionis Alexandrini Enchiridion*, &c." "The Enchiridion of Hæphæstion, faithfully collated with the MS. copies, with variorum Notes, and especially those of Leonard Hotchkis, M. A.; By Thomas Gaisford, A. M. To which is subjoined, the Chrestomathia of Proclus." We learn from a note, that Mr. Hotchkis was a fellow of St. John's College, Cambridge, and afterwards Master of Shrewsbury school. That he was a man of extensive erudition is obvious from the annotations selected from him; which display great judgment, learning, and critical acumen. These annotations, however, are less frequent than from the prominent notice of his name in the title-page we should have expected. The notes, which are placed at the foot of the

page, besides those of Mr. Hotchkis, are generally selected from D'Armand, D'Orville, and De Pauw. To these the editor has often added notes of his own; many of them not the least valuable of the general assemblage. This manual of Hæphæstion, as now edited, cannot fail of being an acceptable present to the industrious student. The successive editions of Junta, Turnebus, and Pauw, have long become scarce; but the present is superior to any of them in the elegance and correctness of its text, its accurate account of the various readings, the variorum notes at the foot of the page, and the postlegomenon of a copious and valuable commentary. To the Chrestomathia of Proclus are subjoined the notes of Schottus, Nunnæus, Sylburgius, and Heyne.

We proceed to the national poetry of the current year; of which there has been an abundant harvest, though much of it is by no means of the best and rarest kind.

"The Vision of Don Roderick, a Poem. By Walter Scott, Esq." The political events of the day alone have given rise to this effusion; and it is not likely to survive the day to which it is addressed. As it is short, we have copied the whole of it into the department of poetical selections, to which we refer our readers. Mr. Scott will here be found to have departed from his accustomed wildness of metre, for regular shackles.

"Retrospection, a Poem, in familiar Verse. By Richard Cumberland." This is the last production of the venerable bard, whose name it bears: it commences as follows:

World, I have known thee long, and now the  
hour  
When I must part from thee is near at hand.

Near, indeed—Westminster Abbey received his remains in about ten days

days after its publication. The work itself is little else than the writer's life put into verse; it has but little force or poetical merit; but to those who know the author, or have ever fully read this preceding work, it has very powerful influence of another kind.

"The Plants, a Poem; Causes the Third and Fourth. By William Tighe, Esq." The author in this volume brings to a conclusion an elegant, and upon the whole, an animated poem, upon a subject which has often been selected, but in which he nevertheless finds sufficient novelty; for nature will always furnish novelty to the attentive enquirer, regular and harmonious as she is in her usual march. There is a sufficiency of classical allusion, and picturesque delineation; somewhat less sublimity than in Darwin, but at the same time less glare, and certainly much more freedom.

"Psyche, with other Poems. By the late Mrs. Henry Tighe." The fair writer of this elegant allegory, after six years of protracted illness, expired March 24, 1810. We have hence perused it with a pleasing melancholy, and perhaps some prejudice of favour. Yet in sober truth we can fairly assert, that it stands in need of no adventitious event to fix the reader's approbation; and under this impression, we cordially send him back to the extracts we have thought it our duty to make from it, and to insert in the preceding department of our Register.

"The Poetical Works of Anna Seward, with Extracts from her Literary Correspondence. Edited by Walter Scott, Esq." In Three Volumes." Small 8vo.

"Letters of Anna Seward: written between the Years 1784 and 1807. In Six Volumes." Crown 8vo. The fame of Anna Seward must

repose rather on her poetical than on her epistolary talents. That indeed, which may proceed from the last source, must be altogether posthumous, for as a letter-writer, whatever her private friends may have done, the world has even now to become acquainted with and eulogize her. There seems a sort of vanity in the manner in which both these works were prepared for the public eye: they were carefully arranged, and re-copied, and bound up in MS. and disposed of by a will for some time antecedent to the writer's death—and by a will too of a most extraordinary composition, and possessing more of tittle-tattle than we ever witnessed in an instrument of this kind in our lives, or probably ever shall again. By the terms of this will, the posthumous publication of the poetical works was deputed to Mr. Scott, and of the epistolary works to Mr. Constable, with neither of whom the fair testatrix appears to have had any thing more than the most superficial acquaintance; but it is obvious that she thought these were the gentlemen who would best answer her purpose. The poems possess more merit than usually belongs to posthumous collections, or those which an author does not think it worth while to bring personally before the public: they are, however, too much interspersed with occasional pieces and addresses, which may prove a dead weight to the rest. The letters display great vigour and capacity of mind, great command and felicity of language, and, in general, sentiments highly favourable to the best feelings of the heart; and demonstrative of their existence in the writer's own. But they are so intermingled with the private adornings of intimate friends, upon delicate subjects, that without

without their consent, such correspondences ought never to have been blazoned before the world.

"The Remains of Joseph Blacket: consisting of Poems, Dramatic Sketches, the Times, an Ode; and a Memoir of his Life. By Mr. Peck." Two Vols. 8vo. This work is strongly recommended to the benevolence of the public, by the personality of its history; and we may add, will not be discountenanced on the score of intrinsic merit. Mr. Blacket was an untalented bard—just rising into an honourable reputation, when he was attacked by a pulmonary consumption, which had already proved fatal to a beloved sister, and which decimated him at Seabam, near Sunderland, August 22, 1810. He has left behind him an aged mother and an orphan daughter; and whatever profit may accompany the sale of this work, will be a seasonable legacy to these dear relations.

"The Banks of the Wye; a Poem, in Four Books. By Robert Bloomfield, Author of the Farmer's Boy." In easy and natural description, the bard of Suffolk here describes the scenery and events that accompanied him, while one of a party that in 1807 proposed to themselves a short excursion down the Wye and through part of South Wales. The usual style, character, and other merits that distinguish this writer's productions, may be traced in about the same proportion in this pleasing production.

"Poems. By Miss Holford." 8vo. These are the smaller and more limited flights of a poetess, who in "Wallace, or the Fall of Falkirk," sufficiently proved that she has innate powers of stretching a bold and lofty, and long-expanded wing. We cannot, however, compliment her upon the present collection;

there is too often a want of genius, judgment, and originality.

"Dramatic and Narrative Poems. By John Joshua Earl of Carysfort, E. P." Two vols. 8vo. These volumes do great credit to the literary taste and genius of the noble author. The dramatic poems, which are four in number, fill the first volume; are formed upon correct models, and with many of the excellencies, have none of the defects of the French school. They are well conceived, and accurately planned; but are somewhat deficient in pathos and animation. The narrative pieces discover great richness of invention, and grace of versification.

The rest is well be sufficient to catalogue. "Poems, by Elijah Barwell Impey, Esq." 8vo. containing high metrical polish, formed upon Italian models. "The Triumphs of Religion; a sacred Poem, in Four Parts." Published anonymously; and which we suppose will never be known otherwise. "Simple Pleasures, by Miss Venning." Designed, as the authoress herself modestly states, "for young persons above twelve years of age." "Glenorhel, a descriptive Poem in Two Volumes. By James Kennedy." Full of new words and new conceits. "Christina, the Maid of the South Seas, a Poem, by Mary Russell Mitford;" exhibiting many proofs of taste and genius; and from which nothing but want of space prevents us from copying. "Poems, by D. P. Campbell." Dedicated to the Duchess of Gordon, and published by the bookseller, Mr. Young, of Inverness, from the benevolent motive of serving a young woman who he thought, and thought correctly, is imbued with a truly poetic spirit.

The chief Novels, Tales, and Romances, that have occurred to us in the

the course of the year, are the following: "Mr. Dibdin's Bibliomania, or Book-madness, a Bibliographical Romance in Six Parts, illustrated with Cuts;" and we may add, abounding with wit and high interest. "Cottage Dialogues among the Irish Peasantry, by Mary Leadbeater; with Notes and a Preface, by Maria Edgeworth." Well worthy of being put into the hands of the junior parts of a family. "Thinks I to Myself." A tale which has now been so generally in every one's hands, as to render it unnecessary for us to point out its peculiar merits. "Frederic de Montford, by the Author of the Pursuits of Fashion." 12mo. Three Vols. Containing some novelty and more hu-

mour. "Gothe, or Memoirs of the Wurtzburg Family, founded on Facts, by Mrs. S." 12mo. Two Vols. "Frederick, or Memoirs of my Youth, interspersed with occasional Verse." 12mo. Two Vols. This is ushered into the world in all the finery of a gay and gaudy pink-suit; but it becomes us to add, that we believe it would have found its way without such adventitious decorations. "Felissa, or the Life and opinions of a Kitten of Sentiment." 8vo. A tale that will amuse, and without exciting mischief of any kind. "Islanda Fitzalton, or the Misfortunes of a young Irish Lady." A work that has had the honour of being noticed in some of the foreign journals.

# FOREIGN LITERATURE.

Of the Year 1811.

## CHAPTER I.

### BIBLICAL AND THEOLOGICAL.

*Comprising a Sketch of the various Productions of France, America, Germany, Denmark, and Sweden.*

ONE of the best accounts we have seen in the course of the current year of the state of religion in France is contained in M. Faber's "*Notices sur l'Intérieur de la France*," "Essays on the Interior of France," at an English version of which we have already glanced, and to the general matter contained in the original of which, we shall still have to return in the third chapter of the present division. From this work we learn that religion is as much made a state engine of, as internal police and finance. The ecclesiastical charges of the pulpit, and especially those offered on particular occasions by the archbishops and bishops, and the ostentatious parade of religious festivals in the different dioceses, are dressed up in the most enticing manner, to attract the attention of the public, in order to resound the glory of his *imperial majesty*. The dignitaries of the church strive with one another in the fulsomeness of their flattery. They compare Napoleon to all the distinguished characters in the Old Testament: to Joshua; to Cyrus; to the

Lion of the tribe of Judah. Even the most antichristian, and abominable measures—even the conscription itself—are advocated by this timid and servile tribe. "Can any law be more equitable than the military conscription?" said the bishop of Séez; "that conscription which summonses all the citizens, without exception or distinction, to bear arms for a few years only, in the flower and vigour of youth, that they may afterward *return to their peaceful homes*?"—"It is to the succour of heaven," exclaimed the bishop of Liege, "that our august monarch owes his wonderful success. Happy is the man who putteth his trust in God, and whose hope is *the Lord*."—"Like another Judas Maccabæus," said the bishop of Metz, "Napoleon puts on his breast-plate as a giant; he braces himself with armour for the combat."—"The prodigy, my brethren, which we admire," cried the archbishop of Bourges, "is not the work of men; it is the handiwork of the mighty God who watches over *the man of his right hand*." The bishop of



of Quimper introduces a voice from heaven addressing Bonaparte, and predicting all possible success; while another of these disinterested dignitaries exclaims, "he leaves the care of his destiny to the mighty hand which brought him out of the land of Egypt."

While these ecclesiastical panegyrists are thus zealous in the praise of their ruler, the internal state of their dioceses, the proper object of their attention, exhibits a deplorable picture. The inferior clergy are often abandoned to the most abject indigence; the churches in many parishes are in decay, while in others there are no churches whatever remaining. Thus the ministry, offering but little prospect of competency or respectability, is no longer embraced as a profession by young men in sufficient numbers; and the complaint of a want of clergyment is loud and general. The bishop of St. Brien openly deplored that he had no more than fifty ecclesiastics in a diocese requiring seven hundred: the archbishop of Rouen, lately declared in a pastoral letter, that in a few years his diocese would be without priests, and the "house of the Lord without Levites;" and the archbishop of Paris adopted this grievance as the subject of his charge, and conjured his flock "to supply the vineyard of the Lord with labourers." All this is a consequence of the conduct of Bonaparte; who having provided for the higher dignitaries, and done what was necessary to produce a pompous effect, is indifferent to the humbler consideration of the comfort of the people. That religion, in all its shapes, may serve the purpose of an engine of state, the government retains the nomination of all protestant as well as catholic functionaries. Lay-directors, with

the title of presidents, are appointed at the head of consistories, take the oath of allegiance to the ruler, and receive salaries from the state. They are expected in return to give to their communities the impulse required by government for the purpose of raising men and money; and they show themselves not less subservient to the will of their master in their popular addresses than their catholic brethren. It is not surprising that Bonaparte should take pains to cultivate the attachment of the protestants, when we learn that the number subject to his sway is estimated at five millions, exclusive of the adjacent kingdom of Holland. We may add to this statement, that M. Jouhaud, in his *Paris dans le desolément*. Stock, expressly states that the gamblers of the Stock-exchange have a vacant church appropriated to their use.

"Considerations sur l'état, &c."  
"Considerations on the present State of Christianity. By Jean Trembley." 6vo. Paris. We are glad to meet with this work, and to witness one plain, intelligent and active individual, honestly and boldly engaged in defending the truth and importance of revealed religion against the host of deists and atheists by whom he is surrounded. We know not whether Germany or France is most infected with persons of the two last characters: we believe the former, and in several of our preceding volumes have endeavoured to give specimens of the most pestiferous and destructive concessions which many of the German divines themselves have undertaken to interpret the Scriptures; and to bring down both facts and doctrines to the level of man's natural conceit and apprehension. Against all these M. Trembley, in the work before us, courageously takes his stand; and

such to order the more effectually, to suppose them divides his work into six chapters. In the first he treats of the nature of Christianity, and of the facts on which it rests. In the second of miracles. In the third he examines the objections which have been raised against miracles, and the different methods in which the adversaries to Christianity have proceeded. In the fourth he discusses the following questions: "Whether Jesus Christ does not appeal to his miracles in confirmation of his doctrine? Whether he accommodated his ideas to those of the Jews? Whether every thing ought to be decided by a reference to his doctrine? Whether if Christ be nothing more than a philosopher, Christianity must not fall to the ground? And whether natural religion must not yield to the same strokes which are levelled at the religion of the gospel." In chapter five, he treats of the metaphysical principles of the modern innovators; of their opposition to the morality of the gospel; of the nature of that morality; and of the conditions which are essential to it. And in the sixth and last chapter, he investigates the nature, extent, and legitimate use of human reason; animadverts on indifference in matters of religion—and of the effects which result from a system, which, for religion, substitutes metaphysics.

M. Tremblay divides the characters against whom his work is directed into two descriptions: the first comprehending those who profess a great respect for the morality of the gospel, but doubt the historical facts, and particularly the miracles recorded by the evangelists: the second those who deny the credibility and even the possibility of miracles, and the excellence of the gospel as a moral system. To the former class, including persons call-

ing themselves Christians, who equally discard the doctrines of prophecy and inspiration, and contend that if they respect the morality contained in the preaching of Christ, they are at full liberty to reject all the narrative of his life and ministry as fabulous, he observes that "Christianity does not consist in a name: if it have any reality it ought to rest on some basis, and this basis is no other than the facts which prove the divinity of its origin. Reject these facts and Christianity is overturned, and those who pretend to preserve the name of Christian, while they subvert all that is essential to Christianity, imitate those democrats who would take from a prince all authority, and leave him nothing but the name of king." A deistical journalist of the new school having asserted that those cannot be learned Christians who do not separate the morals of the gospel from its facts, M. Tremblay replies, that "on this principle Christianity is only thirty years old, (the date of the work in which this absurd idea was first started); that before this period no Christian existed; and that even St. Paul was not a Christian, since he has ventured to assert that if Jesus Christ be not risen, our faith is vain. The chapter on miracles adverts to an hypothesis which some German professors, and even expositors of the Bible, as they denominate themselves, have lately hazarded, viz. that the miraculous narratives of the New Testament are nothing more than the relations of ordinary events in the exaggerations and hyperboles of the eastern style; that, for instance, the account of what has hitherto been regarded as a miraculous feeding the five thousand with five barley loaves and two fishes, means only that the multitude were fed, to their great surprise,

surprise, by the judicious distribution of the little which the entire number had with them, beginning with the stock of the disciples, which consisted of those five loaves and two fishes. The German professor, here more immediately adverted to, our readers will find to be M. Paulus, by turning to p. 374 of our department of Foreign Literature for 1809, where we have given a pretty full sketch of his "*Kommentar über das neue Testament*," and have noticed various other and still more ridiculous subterfuges than are here brought forward. Whatever M. Trembley has touched upon, however, he has examined with a boldness and ardour, that do credit to the purity of his heart, and the correctness of his judgment. Religion, nevertheless it is obvious, is not the standard pursuit on the continent, either of those who are right or of those who are wrong: the latter are only employing shafts which have formerly been used in a much more pointed manner, and the latter are not sufficiently acquainted with the study of it to avail themselves of all the repulsive means in their power, and which have for some ages been so ably wielded in our own country.

"Eloge de M. D'Orléans de la Motte, &c." "Elogy of M. D'Orléans de la Motte, Bishop of Amiens. To which are subjoined historical notes. By M. N. S. Guillan, Honorary Canon of the Church of Paris, and Professor of Eloquence in the Bonaparte Lycæum." Paris. Panegyric here offered so completely in wholesale, that we should suppose there is enough to eulogize the entire bench of French bishops, and to leave a tolerable supply afterwards. M. D'Orléans has now however been dead for nearly forty years—and it must surely indicate a tremendous

lack of public characters entitled to the laudatory disembowement of this professor of eloquence, that he should be compelled to go so far back for a proper subject. The simple annals of the life of the worthy and facetious prelate, thus dragged from oblivion, are as follows: He was born at Carpentras in the comtat Venaissin, January 13, 1683, and died June 10, 1774: he was a man of great piety, and great pleasant, and a zealous Catholic. His orthodoxy was that of Athanasius, and his wit that of Cicero.

"Le Fire Arbitre, &c." "On Free-will. By Stanislaus Bouffiers, Member of the National Institute." Paris. 8vo. The reign of terror that drove M. Bouffiers from his native country some eight or nine years ago, drove him at the same time to study; and without books to consult, or a mind sufficiently comprehensive or acute for the subject, he unfortunately stumbled upon metaphysics. "What he thought he wrote, and what he wrote he wished to have read; and what he wished to have read he has now published. He has long since had an opportunity of improving the train of his thoughts, and we may add, of correcting the train of his errors, by books in abundance; but he thinks the world will be most delighted, and most benefited by the pure unaided views of a solitary entologist—a species of vanity from which we should suppose he is by this time, if not altogether cured, at least in a state of convalescence."

"Essai Historique sur la Puissance temporelle des Papes, &c." "Historic Essay on the temporal power of the Popes; or the abuse which they have made of it in their spiritual ministry, and in the wars which they waged with Sovereigns, especially

sally those who held a preponderance in Italy. *Translated from the Spanish.*—This most extraordinary work appeared in Paris on the commencement of last spring. It consists of twelve bulky chapters, and embraces a full review of the origin of the papal power, and the progress and exercise of that power down to the present time. The obvious purport of every page is to vilify the apostolic see; and the most indefatigable industry as well as a very profound erudition, have been employed in ransacking the most obscure and remote archives for every instance of usurpation or private depravity that can serve to excite an abhorrence for the dominion and character of the whole line of popes. The work was first announced as we have purposely given it in the title—*ouvrage traduit de l'Espagnol*, “translated from the Spanish,” evidently shewing the quarter from whence, or under whose auspices it issued: for it is thus that Bonaparte perpetually acts in such political communications as he wishes to get abroad over the world without their being in the first instance, and before he has observed the impression they are likely to make on the public feeling, chargeable to his own door: and hence, as every politician knows, the origin of half those political paragraphs which find their way into the *Moniteur* as intelligence from Frankfort, Hamburgh, or some place of equal renown. The mask, however, as we understand, has been since withdrawn, and though the name of the author has not been publicly understood, he is generally admitted to be a Frenchman, and a member of the legislative body as well as of the national institute. It was, in truth, impossible long to conceal from the eye of the more discern-

ing, that this work was directly drawn up, and circulated under the orders of the court of St. Cloud: for in an elaborate and official review of it, which occupies upwards of thirty pages in the *Mercur de France*, we meet with the following passage, which may serve as a fair specimen of the general modesty of the entire critique: “Certainly the French translator is an experienced and veteran writer; a style so animated, elegant and free, is not that of a man compelled to pursue the thoughts of another. It must also be admitted that this Spanish author possessed a mind singularly enlightened for a country in which the inquisition existed. Our readers will decide upon this point when they have before them that full analysis of the work which is required from us by the extraordinary merit of the execution, the vast importance of the subject, and the nature of the present crisis.” And again alluding to this affectation of concealment, the official *princeps* proceed in the following strain: “Will the author continue to shelter himself under his Spanish cloak? Are works of this high order usually written by those who have studied at Salamanca or at Alcalá? Shall we not soon be permitted publicly to recognize in our author one of the most enlightened as well as most modest men that have ever appeared in our legislative assemblies; one of the most comprehensive minds that adorn the Institute of France; one of the most accomplished writers of whom our literature can boast at this time?”

We know not who this modest man is, but he certainly merits the eulogium, so far as it goes, which his cov reviewers pronounce upon him. The French government has made a most judicious selection in

the author of this historical essay, as one of the ablest instruments in the empire for the accomplishment of its purpose of overwhelming, not only the apostolic see, but the catholic religion, with obloquy and opprobrium. He has executed his task with all possible ingenuity, and employs his copious resources of learning, and his strong powers of sarcasm, with something of the eloquence, and more than all the insidious malignancy which characterize the attacks that Gibbon has made upon Christianity.

We perceive, from American arrivals, that the preceding *Essai Historique* has crossed the Atlantic, and has exercised the attention of the American critics. In the first number of a periodical publication of great merit, supposed to be edited by Mr. Walsh, and entitled "The American Review of History and Politics," it is examined with great spirit and keenness; and, in addition to the passages already quoted, we find the following introduced, which we copy for the sake of the editor's very excellent comment upon it: "Works," says this masked essayist, "written in this spirit, cooperate with the views of a government no less enlightened than it is successful and firm. The hopes of the enemies of reason are now at an end. It is in vain that periodical and other writers preach up to us the prejudices of the thirteenth century. They are hypocrites who flatter the passions of a certain party with a view to serve their private interests. Religious intolerance is no more. The lustre of the Roman purple has faded away. If the triple tiara should one day lift itself up, at least no crowned head will ever, hereafter, be seen bent before it. Monachism is nearly abolished. All the institutions of

the middle ages are falling one after another, notwithstanding some casual obstacles, the human mind is advancing in its course: see more and that its force is accelerated, as it is AIDED AND SECONDED BY FORCE. Those plans which the genius of letters dared only to suggest in the AGE OF PHILOSOPHY, are now adopted, executed, and extended by the genius of victory."

Upon this passage the American editor ably remarks as follows. "The meaning of the phrases which we have here quoted, and which were undoubtedly written under the auspices of the French government, is too obvious to be mistaken. Nothing can be more virulent than the attack which the author, who is here extolled for his circumspection, has made upon all the most sacred institutions, and the favourite tenets of the Catholic religion. He shews them no mercy whatever. It is notorious to the whole world that these "plans which the genius of letters dared to suggest in the age of philosophy," aimed at the subversion of all Christian altars. The organs of the French ruler disclose a secret of no small importance when they tell us, so formally and authoritatively, that the plans of the age of philosophy (which is that of Voltaire, &c.) are "adopted, executed and extended by the genius of victory!" By the meditated extension of these plans we must understand the substitution of some new creed for the dogmas of Christianity: otherwise there would be no amplification of the projects of the age of philosophy which went very fully to the extinction of Christianity, but did not provide for the establishment of another faith. The sword then is to accelerate the progress of the human mind, not only to the rejection of its

its present belief, but to the adoption of some other creed. The sword in the hand of Mahomet was once successful in achieving a similar purpose, and it is imagined that its agency may be equally efficacious in this instance.

"We have for some time past (continues this shrewd critic) entertained a suspicion that Bonaparte meditates some extraordinary changes in the religion of the European continent. He has in his replies to some of the addresses made to him on the occasion of his marriage, openly declared himself against the papal power, and even indulged in severe invectives against the Catholic religion in general. The press of Paris teems with publications levelled against the papal power, the celibacy of the priests, the intolerance of the religious spirit, &c. We observe that numerous dissertations have been warmly commended, and industriously circulated throughout the empire, the object of which is to shew the beneficial influence that the enterprise of Mahomet might have had upon the world, if accidental obstacles had not counteracted its natural tendency. The following was the prize question of the Institute for 1809, "To examine what was, during the three first ages of the Hegira, the influence of Mahometanism over the intellect, the manners, and the government of the nations, among whom it was established." To institute comparisons unfavourable to the Christian system, appears to have been the purport of nearly all the essays to which this question gave birth. We know not whether it be the intention of Bonaparte to propagate the *Koran* by the sword, but we shrewdly suspect that he is somewhat inclined to follow the example of Mahomet—

to have a religion of his own, and to declare himself not only the master, but the prophet of the West. The Christian doctrine is opposed to the spirit of war and conquest, and may, therefore, be proscribed to give way to another, more congenial to the temper and views of a military despotism!"

On examining the general nature of the theological publications of the United States, we find them for the most part importations from the English press, or reprints of English works in the American press. Thus among the former we perceive Dr. Jeremy Taylor's "Life and Death of the ever-blessed Jesus Christ," Fuller's "History of the Worthies," &c.; and among the latter Dr. Milner's "History of the Church of Christ," and Mr Butler's "Life of Archbishop Fenelon."

The original publications belonging to this class are not of great value. Politics are here more frequently than in any other part of the world introduced into the American pulpit; and, according to the quarter in which the preacher resides, they are peculiarly hostile or peculiarly favourable to Great Britain. It would be almost an act of ingratitude not to select for special notice the following, entitled "A Sermon, preached in Boston, April 5, 1810, the day of the public fast. By William Ellery Channing, Pastor of the Church in Federal Street." The author's text is "The Signs of the Times;" and he demonstrates himself to be altogether a disciple of the well-known author of the celebrated "Letter on the genius and dispositions of the French government," to which indeed he expressly alludes in his discourse, adding at the same time that its "representations agree with the accounts of France which I have received

ceived from other publications, and from gentlemen who have lately returned from that country."—"Religion and virtue, (he adds,) as well as liberty and opulence, wither under the power of France. The French revolution was founded in infidelity, impiety and atheism. This is the spirit of her chiefs, her most distinguished men; and this spirit she breathes wherever she has influence. It is the most unhappy effect of French domination that it degrades the human character to the lowest point. No manly virtues grow under this baleful, malignant star. France begins her conquests by corruption, by venality, by bribes; and where she succeeds, her deadly policy secures her from commotion by quenching all those generous sentiments, which produce revolt under oppression. The conqueror thinks his work not half finished until the *mind is conquered*—its energy broken, its feeling for the public welfare subdued. Wherever French power extends, a cold and suspicious selfishness is diffused through society. Traitors are rewarded with power. An invisible army of spies, more terrible than the legions of the conqueror, are scattered abroad to repress that frank communication which relieves and improves the heart. The *press* is in bondage. Nothing issues from it but what accords with the views of the conqueror. Offensive truth is a crime not easily expiated. Under such strong temptations to flattery and deceit the love of truth cannot long subsist. I fear that if the fall of England should place the world in the power of France, the press would become the greatest scourge of mankind. No sentiments but what are approved by an unprincipled despotism would reach the next generation; and these senti-

ments would be poured into their minds by means of the press, with a facility never possessed before the discovery of printing.

"Let me here observe, (continues this animated and enlightened preacher,) that the contrast of England with France, *in point of morals and religion*, is one ground of hope to the devout mind in these dark and troubled times. On this subject I have heard but one opinion from good men who have visited the two countries. The character of England is to be estimated particularly from what may be called the *middle class* of society, the most numerous class in all nations, and more numerous and influential in England than in any other nation of Europe. The warm piety, the active benevolence, and the independent and manly thinking which are found in this class do encourage me in the belief that England will not be forsaken by God in her solemn struggle. I feel myself bound to all nations by the ties of a common nature, a common Father, and a common Saviour. But I feel a peculiar interest in England: for I believe that there Christianity is exerting its best influences on the human character; that there the perfections of human nature, wisdom, virtue, and piety, are fostered by excellent institutions, and are producing the delightful fruits of domestic happiness, social order, and general prosperity. It is a hope which I could not resign without anguish, that the "prayers and alms" of England "will come up for a memorial before God," and will obtain for her his sure protection against the common enemy of the civilized world."

We have dwelt the longer upon this subject on two accounts. First, we wished to shew, and we shew it with gratitude to the protecting power

power of Providence, that there is yet another press, and another people besides those of England, which remain untouched by the tyranny of Corsican despotism—and dare to publish his enormous list of crimes in his own face, and in the face of the world; and secondly, we are anxious that our countrymen should more generally understand, than they seem to do, that in spite of all the violence of the American war party and all the influence which French intrigue has produced amongst them, the United States have still to boast of a numerous and enlightened multitude, who have resisted the Circean cup, and are duly alive to the merit of those sufferings and sacrifices which the parent isle has for so many years been sustaining to preserve the balance of the moral and political world, and to save it from shipwreck and ruin.

The German press has not afforded us much upon biblical and theological subjects that is entitled to our commendation. We have already observed that the divines and professors of this part of Europe, have too generally concurred in lowering both the authority and genuineness of the sacred scriptures, especially those of the Old Testament:—such especially are M. M. Eichhorn, Rosenmüller and Paulus. Hence, too, the *Hebräische Mythologie des Alten und Neuen Testaments*," "The Hebrew *Mythology* of the Old and New Testaments" of Professor Altdorf of Bauer; as also the "Excursien zum Buche Jonas," "Remarks on the Book of Jonas," by M. Goldhorn of Leipsic, who regards the whole as tradition.

We shall close this chapter with a brief notice of a very curious antiquarian letter from a Danish bishop to a Swedish archbishop.

"Frederici Münteri S. Theolog. D. et Prof. P. O. Siällandia, &c." "Letter of Frederick Münter, bishop of Zealand; &c. to the most reverend the archbishop J. A. Lindeblom, &c. on two ancient ecclesiastical monuments." One of these, supposed to be a *Sardus Capillus*, is determined to be a leaden bulla, with the name inscribed upon it of Victor bishop of Carthage; and hence appears to be of the date A. D. 646; which leads the writer into a very erudite and curious inquiry into the history of this most ancient church. The other antique is an onyx, intended as it is supposed for a ring, having engraven upon it an anchor between two fishes, with the letters IHCOT serving as an inscription around the figures. Bishop Münter considers this gem, which was brought from the east to Rome, as having belonged to some Christian in the third or fourth century; and throws forth a profound knowledge of ecclesiastical antiquity in deciphering the symbols. He first remarks concerning the *anchor*, that where it occurs on Christian gems it has no *original* reference to hope, but is used to denote the tranquillity and joy of Christian believers, arising from the grace of Christ, and the benefits of the gospel: though he admits that in succeeding periods it was employed as an emblem of hope. The anchor is often seen on the gems and monuments of the early Christians, with the mystical word *IXOTE* inscribed on it, and the right reverend author, in order to explain the antique before him, quotes from the ancient fathers of the church several passages in proof of the superstitious reverence in which they held this word; which is Greek for *fish*, as well as the *figure of a fish*, by which they often designated



nated the Saviour of the world. *Piscis nominis, we are told, secundum appellationem Græcam in uno nomine, per singulas literas herbam sanctorum nominum continet.* "The word fish, in Greek, contains in its different letters a group of holy names." Considering each letter as standing for a distinct word, ΙΧΘΥΣ was made to signify Ιεσους Χριστος Θεου Υιος Σωτηρ: in English, Jesus, Christ, Son of God, Saviour.

Concerning the gem in question he does not offer any very decided opinion: but inclines to that of Zupius, who supposes that stones of this kind, set in rings, were used in the marriage ceremonies of the ancient Christians; while the nature of the engraving and the shape of the letters, seem to refer it to the third or fourth century of the Christian era.

## CHAPTER II.

## PHYSICAL AND MATHEMATICAL,

*Containing a Sketch of the chief Productions of France, Germany, Italy, America.*

**N**OTWITHSTANDING the interdict to all correspondence between England and France, we have received various numbers of the "Journal Général de Médecine de Chirurgie, de Pharmacie," &c. some of which contain articles of no small moment. The difficulty of obtaining foreign drugs has called forth the ingenuity of various practitioners to provide indigenous substitutes; among others, M. Loiseleur Deslonchamps has published an able paper, "Sur la possibilité de remplacer l'ipécacuanha par les racines de plusieurs euphorbes indigènes."—"On the possibility of replacing ipécacuanha by the roots of several varieties of native euphorbium:" and the researches of the writer seem to have been crowned with tolerable success. We also meet with a well related case, given anonymously, of hemoptysis, arising from a suppression of the hæmorrhoidal flux, removed by a restoration of the latter evacuation. There is a singular article contributed by M. Carron, entitled, "Observations sur les effets dangereux de l'onguent citrin, administré à grandes doses, et sans précaution dans le traitement de la gale."—"Observations on the dangerous effects of the citrine ointment, used in large doses, and without precaution, in the treatment of itch." M. Carron conceives, that the ointment here re-

ferred to, which is a mercurial preparation, if largely and incautiously employed, as in cases of inveterate itch, will drive the disease from the surface into the interior, and produce what he denominates a repercussion of the morbid matter—*répercussion du virus psorique*; evidencing itself by a long series of chronic maladies; while, if employed in the same manner in recent cases, it will produce appearances which have a near resemblance to those of syphilis, and are rather, in his opinion, to be ascribed to the action of the mercury, than to any metastasis of psora.

Dr. Valli, during his residence in Turkey, has ascertained the possibility of inoculating for the plague, and producing a disease of great mildness. To effect this purpose, he combines the *pestilential virus* with variolous virus, the gastric juice of frogs, or oil, and then anoints any part of the body with it, so that the morbid matter is introduced into the system by absorption. We know that various diseases of very different natures have been equally described under the name of plague; and we do not exactly understand what species, or, we may say, kind, is here adverted to; nor are we told the proportion which the virus employed was allowed to bear to the other ingredients; nor, so loosely is the paper written, have we any declaration

claration made as to the beneficial effect of such a practice; for we are no where told that it will act as a preventive against the attack of natural plague.

"*Traité de l'Angine de Poitrine,*" &c. "*Treatise on the Angina Pectoris.* By E. H. Desportes, M. D." The writer has very fully entered into the symptoms of this disease, with a view of distinguishing it from asthma, and various affections of the heart, with which it is frequently confounded; but as to its cause, or mode of cure, he has added little to the modest observations of Heberden.

"*Recherches de Physiologie et de Chimie Pathologiques,*" &c. "*Pathological Inquiries in Physiology and Chemistry.* By P. H. Nysten, M. D. Professor of Materia Medica," &c. This is intended as a sequel to the very excellent work of M. Bichat, "*Sur la Vie et la Mort,*" "*On Life and Death.*" It is divided into five sections. The first treats of the effects produced on the animal economy by the presence of gasses in the sanguineous system. The second examines into the chemical phenomena of respiration in diseases. The third notices the changes that occur in the secretion of urine. The fourth has for its object an examination of vital properties, after the extinction of the general life. In the fifth the author discusses the cause of the stiffness by which the limbs are contracted for some time after death. The whole discovers much ingenuity, and an active spirit of research.

The "*Biblioteca Italiana*" still continues to be published under the editorship of M. J. S. E. Julia. We do not perceive any article, however, that needs to detain us with particular notice in the last three numbers. One of the most singular cases

is that of an extra-uterine fetus, conceived in the left horn of Fallopius, the bones of which, after having remained there for two years, were successively discharged through the rectum. This memoir was communicated by M. M. Valera and Roagna. Much pain had for a long time been previously felt in the region of the sacrum, accompanied with diarrhoea and tenesmus; there was much local inflammation, succeeded by suppuration extending to the adjoining parts, and at length an opening was formed into the rectum: the discharge of bones was always accompanied with purulent and bloody excreta. The case terminated favourably.

M. Leonardo Vordoni, M. D. at Trieste, who lately published a good classification of the materia medica, has circulated a prospectus of a work he is about to bring forward by subscription, entitled, "*De Sedibus et Causis Morborum per analysisin indagatis.*" From the nature of the prospectus, and the well-known talents of Dr. Vordoni, it promises to be a work of merit.

"*Clinique Chirurgicale, ou Mémoires et Observations de Chirurgie Clinique,*" &c. "*Clinica Chirurgica, or Memoirs and Observations on Clinical Surgery, and other subjects relating to the Healing Art.* By Ph. J. Pelletan, Consulting Surgeon of their Imperial and Royal Majesties, Member of the Legion of Honour, and of the French Institute, and Chief Surgeon of the Hôtel Dieu." 3 vols. 8vo. This is the first literary production of a veteran in his profession: "Forty years of reflection," observes M. Pelletan, "have matured on given perspicuity to my opinions." He has thus quadrupled the advice of Horace, and so far as these volumes are specimens, he has not restrained himself in vain. The  
articles

articles are given in the form of detached memoirs, rather than of connected essays; and they evidently discover close attention to the different subjects upon which they treat, together with original and valuable ideas.

In glancing at the medical and chemical productions of Germany, we have observed among the most valuable of those that have occurred to us, "Observations on the causes of insalubrity and contagion that existed during the winter-season from 1805 to 1806 in the ambulatory hospitals of Vienna, and the stationary hospital of the Josephine Academy; by M. Roussille Chamseru:—" Essay on Medical Literature, addressed to the medical students at Strasburg; by M. Villars;" and several of the articles communicated in "Hufeland's Journal," especially M. Becker's "Pathological Observations;" and an article on the employment of arsenic as a febrifuge.

The Medical Society of Brussels has proposed for the ensuing year (1812) a gold medal of the value of 200 francs to the author of the best dissertation on the following subjects. "1. What is the nature and cause of the disease known by the name of yellow fever? 2. What are the symptoms that essentially characterise this fever? 3. Are the yellowness and black vomit to be regarded as essential or characteristic symptoms of the disease, or merely as accidental symptoms? 4. Is the fever contagious? 5. What are the means of protection against it? 6. What are the most effectual means of cure?" The question is open to the world at large; but the language must be Latin or French.

We are sorry to perceive, that in many parts of the continent there is almost as much antipathy to the use of vaccination, as has been ma-

nifested by many persons in our own country. At Strasburg the resistance was so intractable, that the prefect thought it his duty to publish, in the month of May, an edict, declaring, that every house in which the small-pox should appear, in consequence of refusing to admit of vaccination, should be cut off from all communication with the rest of the inhabitants; so long as the disease continued: he also ordered a list to be regularly made out of the refractory, for the use of the minister of police.

"*Traité de l'Education des Moutons*," &c. "Treatise on Breeding Sheep; to which are subjoined, eight large tables, shewing the means, under common management, of augmenting and ameliorating a flock into which rams of the pure race have been introduced, &c. By M. Chambon de M." 2 vols. 8vo. Paris.

"*Instruction sur les Bêtes à Laine, et particulièrement sur le race de Merinos*," &c. "Essays on Animals that produce wool, and particularly on the race of Merinos; containing the mode of raising good flocks, and of increasing and managing them in health and disease. Published by order of the Minister of the Interior, and drawn up by M. Tessier, Member of the Institute." 8vo. Paris.

It appears, from the above, and other publications of a similar nature, that the important subject to which they refer is at present becoming fashionable and popular in France. The author of the first takes a comprehensive view of the genus *ovis* throughout its chief varieties; and gives somewhat of an elaborate history of the management of sheep in early as well as in modern times; and terminates his observations with various practical remarks, many of them valuable and important, on the advantages

tages of crossing, and the best varieties, and modes to be pursued for this purpose. The writer of the second confines his observations to the Merino variety alone, or nearly so, and only adds a few hints of consequence, and well worth attending to, upon the diseases of sheep, rules for choosing or forming good shepherds, and training sheep-dogs; to the previous treatises of M. Gilbert, M. Hazard, and M. Daubenton, all of which, as directed to the same point, and issuing from the same quarter, have been successively patronized by the French government.

"Philosophie Zoologique," &c.

"Zoological Philosophy; or an Exposition of those considerations which relate to the Natural History of Animals; to the diversity of their organization; and of the faculties derived from it; to the physical causes which maintain life within them, and give to the movements which they perform; to those, in short, which produce either the feeling or the intellect with which they may be endued. By J. B. P. A. Lamarck, Professor of Zoology in the Museum of Natural History," &c. 2 vols. 8vo. Paris. This work contains much ingenuity and natural research; but it is in many respects loose and inconclusive. We admire M. Lamarck's assemblage of facts, rather than his chain of reasoning concerning them; and think him a better adept in pulling down the classification of others, than in building up one for himself. In our present limited knowledge, however, of zoological philosophy it has a strong claim to be read by every lover and indagator of nature; and, as such, we strongly recommend it, and should like to see a version of it into our own language.

"Mémoires sur les Eléphants vivans et fossiles." "Mémoires on

living and fossil Elephants. By C. Cuvier," &c. This and various other articles of a similar kind, and especially a paper on the great Mastodonte, or Mammoth of the Ohio and several other places, and a general sketch of the history of the fossil bony parts of the Pachydermata, are communicated in the eighth volume of the "Annales du Muséum d'Histoire Naturelle;" and collectively they enlarge to a very considerable extent the bounds of natural history, and furnish us with a prodigious fund for meditation. It is truly wonderful to observe, from this extraordinary work, the great number of genera, species, and varieties of animals of almost every class and order, which have formerly existed, and no longer appear extant.

"Système Sexuel des Végétaux,"

&c. "Sexual System of Vegetables, &c. by Ch. Linnéus, translated for the first time into French, by N. Jolyetere, Emeritus Professor of Belles Lettres, Mathematics, Chemistry, and Natural History." 2 vols. 8vo. The appearance of this work sufficiently proves the genuine merit of the system: it undertakes to vernacularise: for till of late no system of plants, but that of Tournefort's, was allowed any sort of credit in any part of France; and it was regarded as a sort of presumption to place the system of the Swede on a level with that of the Frenchman. The present edition has a considerable advantage over various others in different countries, in being enriched with the new matter collected from different botanists by Murray, Persoon, and Willdenow; a useful introductory dissertation, various notes, and a concordance with the method of Tournefort, and the natural families of Jussieu.

"Plantæ Equinoctiales," &c.

"Equinoxial

"Equinoxial Plants, found in Mexico, the island of Cuba, the provinces of the Caracas, Orémóna, and New Barcelona, in the Andes of New Orémóna, Quito, and Peru, on the borders of the Rio Negro, the Orémóna, and the River of the Amazona." By Alexander Humboldt and Aimé Bonpland." 2 vols. large folio. The fame of these most excellent travellers and philosophers stands deservedly high over all Europe and America. Of the present work there have appeared only fifteen numbers: the second volume, however, may be expected to be completed in a few months. The two conjointly will constitute the sixth part of the travels of this illustrious pair—travels performed at their own expense, for the purposes of natural philosophy, and accompanied for years with inconceivable privations and dangers. The plants alone collected, prepared, and dried, most of them non descriptis, amount to nearly sixty thousand specimens. Those already published amount to five hundred, all interesting, either for their use in domestic economy, by their natural qualities, or by their affinity to families, which they elucidate or complete. It would be impossible, however, to communicate to the public a knowledge of the whole of these botanical labours upon the present magnificent scale; and hence, upon the completion of these volumes, the remainder will appear in a separate work in octavo, without figures, to be entitled *Nova Genera et Species Plantarum*.

"Dissertations sur plusieurs Espèces de Fuci," &c. "Dissertations upon several new species of Fuci, with their descriptions in Latin and in French. By M. Lamouroux." Paris. 1 vol. 4to. This is accompanied with thirty-six neatly engraved plates, and constitutes the first fasci-

culus of another splendid botanical work, which the author is desirous of prosecuting, if he should meet with public favour. The author has spent several years in collecting his materials, has made voyages to various parts of the European shores, and besides his own collection of specimens, has been favoured with thousands from all quarters of the globe.

Whilst upon the vegetable kingdom, we shall once more cross the Atlantic to notice the "Hortus Elginensis, or catalogue of Plants, indigenous and exotic, cultivated in the Elgin Botanic Garden in the vicinity of New York. By David Hosack, M. D. F. L. S." This we believe is the only public botanical institution, which the United States possess. It was founded by Dr. Hosack in 1801, and upon a scale and splendour which do high credit to his patriotic spirit. He intended it, indeed, as an academy for public lectures, but at length found the expense too considerable for the fortune of an individual; in consequence of which, he made an offer of it to the American government; and, after much vexatious delay, it was at last bought as the property of the state of New York, upon the low valuation of little more than 74,000 dollars, although it had cost its founder upwards of 100,000. The volume before us gives a detailed account of the valuable plants the establishment contains, together with a description of the conservatories and other buildings belonging to it. We are sorry also to see it accompanied by a small volume, entitled, "A Statement of Facts," in which the Doctor, apparently with much justice, complains of the ungenerous treatment he has received from the American government in the sale of his property.

"Recherches

"Recherches Physico-chimiques," &c. "Physico-chemical Researches respecting the Galvanic Pile; on the chemical preparation and properties of Potassium and Sodium; on the decomposition of the Boracic Acid; on the Fluoric; Muriatic, and Oxymuriatic acids; on the chemical action of light; on vegetable and animal Analysis," &c. By M. M. Gay-Lussac and Thenard, Members of the Institute," &c. 2 vols. 8vo. Paris. This is a truly valuable work; the indefatigable authors have followed up the experiments and opinions of Mr. Davy almost *quis paribus*. Contrary to their first opinion, mature examination has induced them to concur with him in believing potash and soda to be metallic oxides of potassium and sodium; but they do not accede to Mr. Davy's hypothesis in regard to ammonia, which they still, had reason to think is a compound of hydrogen and nitrogen. We have never seen a more polite liberality manifested, than in the present work.

"Système Universel." "An Universal System." By H. Azais." 2 vols. 8vo. Paris. In this new system the modern laws and power of gravitation are completely banished; and the author, although without appearing to know it, has in every essential point returned to the atomic philosophy of the Epicurean school. All visible and compound bodies are composed of monads or ultimate particles; these are perpetually and alternately decomposing and combining—the great moving power is impulsion; the ultimate corpuscles are for ever flying in all directions through the whole range of space,—and space itself is infinite.

"Programme d'un Cours de Physique," &c. "Prospectus of a Course of Physics; or an Abstract of Lectures on the principal Phenomena of Nature, and on certain applications of mathematical to physical Science." By H. Hachette, Inspector of the Imperial Polytechnic School, and Professor of Mathematics." 8vo. Paris. Mr. Hachette, so far as we are capable of judging by this program, has very successfully brought down the course of science in his lectures to the results of the present day, and in various instances has, very neatly and perspicuously explained phenomena of admitted difficulty, we particularly allude to M. Haüy's theory of crystallization.

"Traité d'Acoustique." "A Treatise on Acoustics." By E. F. Chladni, Doctor of Philosophy," &c. 8vo. Paris. We cannot enter into M. Chladni's experiments, which have uniformly a relation to the law of vibration, and tend in a most ingenious manner to explain this law. He has been induced to pursue the subject, on the express recommendation of the National Institute; and is well worthy of the literary remuneration it has produced him.

"De la Défense des places fortes." "On the Defence of fortified Places." Drawn up by order of the Emperor Napoleon for the use of young engineers. By M. Carnot, formerly officer of engineers," &c. 8vo. Paris. This dissertation is worthy of the eminent mathematicians from whom it has proceeded, and will, we hope, be speedily translated into our own tongue, as one of the best books upon the important subject it discusses.

CHAPTER III.

MORAL AND POLITICAL.

*Containing a Sketch of the chief Productions of France, Italy, Germany, Russia, and America.*

**H**ISTOIRE de l'Établissement, du Progrès, et de la Décadence de la Monarchie des Goths in Italie, &c. History of the Establishment, Progress, and Decline of the Monarchy of the Goths in Italy: a work which obtained the prize in the competition proposed by the Class of History and ancient Literature of the Institute, in the year 1810. By J. Maudet, Professor in the Lycæum Napoléon. Paris, 8vo. 1811. This work consists of two parts. In the first the author gives a clear, but succinct history, of the Goths, from their establishment on the banks of the Euxine, till the period when Theodoric the Ostrogoth rendered himself master of Italy, and established his court at Ravenna, after the assassination of Odoacer. In the second he describes the reign and extensive power of Theodoric at full-length; and briefly follows his successors to the year 552, at which period the dominion of the Goths in Italy is well known to have terminated. In the following character of Theodoric, he appears to have given a picture of his own master in disguise, and with great archness. "Born amidst barbarians, Theodoric had nothing barbarous but his name and origin. His genius had advanced several centuries before the intellectual standard of his countrymen. His early educa-

tion had given him that force of character which makes conquerors. His residence at Byzantium had contributed to expand the germ of those talents which constitute the consummate politician. At once haughty and cunning, ambitious and supple, occupied only with himself, and always affecting an unlimited regard for the people, his great art consisted in penetrating into the characters of men in order to deceive them; and in accommodating himself to their prejudices and weaknesses in order to bend them to his views. He caressed the few whom he feared, and crushed him whom he could oppress with impunity. He could either dazzle by his pomp, or charm by his modesty; make himself feared by his rigour, or beloved by his clemency. He conciliated the regard of all; whilst he elevated those who could contribute to his power. His thoughts and his actions had no other object than his own greatness; and, I will add, that he sacrificed the people to his interest.

"Histoire générale d'Espagne depuis les tems les plus reculés, &c." "General History of Spain from the remotest times to the end of the eighteenth century. By G. B. Daping." 2 vols. 8vo. Paris, 1811. The two volumes before us comprise only half the task which the learned author has proposed to himself, the whole



whole of which is to extend to four volumes, the remaining two of which we expect to receive speedily. M. Depping distributes his work into four epochs. 1. The entrance of the Romans into Spain. 2. The invasion of the Goths. 3. The invasion of the Moors. 4. The establishment of Christian kingdoms and nations under one monarch. The whole being preceded by a very erudite and cautious inquiry concerning the Celts and Iberians, who appear to have been the earliest inhabitants of the peninsula; and who, from subsequent incorporation, gave rise to the Celtiberian race. Most nations are in want of a good general history of Spain: we have already hinted at this deficiency in noticing Mr. Bigland's late attempt to supply it in our own tongue; and till something worthy of the subject has appeared amongst us in an original form, we should like to see the present work vernaculized by a good translation.

"*Histoire des Révolutions de Perse, &c.*" "History of the Revolutions in Persia during the eighteenth century, preceded by a summary of all the remarkable events in the empire, from the epoch of its first foundation by Cyrus. By C. Picault." 2 vols. 8vo. Paris. This work is compiled in an amusing and instructive manner: the period which it comprises is fuller of plots, counterplots, and revolutions, than a modern drama; and as there are various tyrants, of various qualities, almost perpetually rising up before the historian, whose characters he has to portray, it is not to be wondered at that, like the author of the preceding work but one, he should occasionally have hit upon several striking likenesses of the present French ruler.

"*Lettres écrites en Allemagne,*

&c." "Letters written in Germany, Prussia, and Poland, in the year 1803, 8vo. &c. By J. P. Grauffenauer, M. D. &c." Svo. Paris. The writer was attached in his professional capacity to the grand army of France, which, in 1806 and 1807, annihilated the Prussian monarchy, and forced the intimidated autocrat of all the Russias to sign the ignoble treaty of Tilsit. In the course of this service Dr. Grauffenauer passed Wurtemberg, Wurtzburg, Hesse, Hanover, Hamburg, Mecklenburg, Pomerania, Prussia, and Lithuania, to the banks of the Niemen: on his return he traversed a part of Poland, and finished his expedition at Berlin. The present volume of Letters is the fruit of these travels. For the most part they are short and superficial, though the style is amusing, and the writer certainly discovers an observant eye. Some idea of the woeeful state of Berlin may be formed from the fact, that when our traveller was there, (and certainly its fortunes have not improved since that period), the public institution for the deaf-dumb contained only twenty residents; and that for the education of the blind only two—both establishments supported *au frais du roi*, "at the king's expense."

"*Paris dans le dix-neuvième Siècle, &c.*" "Paris in the nineteenth century; or, Remarks of an Observer on its new Institutions, Embellishments, Public Spirit, Society, &c. By Peter Jouhaud, Advocate." Svo. Paris. M. Jouhaud is the *Mercier* of the day; he is indeed somewhat less polished and eloquent, but he roves over Paris as widely, and possesses as penetrative an insight into its customs, amusements, pursuits, fashions, and whims of every kind; all of which are described in fifty-five distinct chapters, and many of them with great spirit, though always

always with great loyalty and constancy. Among other curious facts, we find that the "*Mort de Pitié*" is become a vast pawn-broker's reservoir under the control of the government, and for its profit; that "the revolution is said to have given a mortal blow to religion,"—"that the church is quitted during the elevation of the host"—and that the gambling of the Paris Stock Exchange is now held by an ordinance of government in a vacant church. See ch. xviii. xxv. and liv.

"*Histoire des Femmes Françaises les plus celebres, &c.*" "History of the most celebrated French Women, and of their Influence on French Literature, as the Patrons of Letters and as authors. By Madame de Genlis." 2 vols. 12mo. This history descends to the present day, and gives lively, and, for the most part we believe, correct sketches of the characters it undertakes to delineate. It includes, of course, accounts of Mad. Neckar, which is by no means a flattering one, Madame Cotin, so well known by her very excellent romances, of which the author prefers her *Matilda*, though she asserts that both the last "are infinitely superior to those of all the male writers of romance, not excepting Marivaux,"—the Marchioness du Deffant, and Mademoiselle de l'Espinasse, ladies as well known to our own country as Mad. de Cotin, from the translations of their respective letters.

"*Simplex Notices Historiques, &c.*" "Biographical Notices of the most celebrated Generals of foreign nations (i. e. France excepted,) from 1792, to the present time. By M. Châteauneuf." 8vo Paris. The characters described are—of Austrians, Prince Cobourg, Duke Albert of Saxe-Teschén, Kray, Clairfait, Melas, Wurmser, Prince Hohenlohe, 1811.

Kirchberg, Baron Beaulieu, the Archduke Charles, M. Nauendorf, Baron Bender, Latour, Wartenleben, Bellegarde, and the Emperor Francis II himself. Of Russians, Suwarrow, Korsakow, Buxhovden, Lamenkoi, and Kutusow. Of Prussians, Frederic William III. Mollendorff, Kalkreuth, Prince Frederic of Orange, Schoenfeld, Blücher, and the Princes of Hesse Cassel, and Hohenlohe Ingelfingen. Of English, the Duke of York, Lord Nelson, Sir Sidney Smith, Admiral Warren, Sir Ralph Abercromby, and Lord Hutchinson. Considering that this volume was published in 1810, the writer might have found the means to have enriched the catalogue with the names of Wellington, Graham, Hill, and Moore;—but we suppose that they would not have been exactly to the taste of the superintendants of the Paris press; or perhaps they were first placed in the group, and these gentlemen thought it their duty to proscribe them.

"*Description de l'Egypte, &c.*" "Description of Egypt; or, a Collection of the Observations and Researches which were made in Egypt during the Expedition of the French Army." Published by order of his Imperial Majesty, folio, at the Imperial Press, Paris. *Levraison* (first Delivery) Eighty Guineas Sterling. On vellum paper, with proof plates, 150l. This is indeed a magnificent work, and upon a truly magnificent subject. We understand, that two additional *levraisons* will be necessary to complete the design, each of which will be still more expensive than the present. While the enemy do justice to our valour even in the pages before us, admitting in the preface that we annihilated their fleet in the battle of the Nile, and destroyed all their schemes by the victories

victories which we obtained over them on shore—let us not feel any reluctance in confessing that their plan was great; and that during the period of their occupation of Egypt, their researches into the antiquities, natural history, and productions of that country, reflect the highest honour on the men of letters and artists who were employed on this occasion.

"*Preussens altere Geschichte.*" "*Ancient History of Prussia.*" 8vo. 4 vols. Riga. This is well known to be a production of M. Kotzebue; and has excited a very lively interest in Germany, not merely from the talents of the author, but from the merit of the execution and the nature of the materials. By a combination of fortunate circumstances, he obtained access to the secret archives of Königsberg; from which he has drawn a body of authentic document of a curious nature, and of great importance in their relation to the early history of the north of Europe, and especially to the career of the Teutonic Knights. The work has been translated into French; but the boldness of the writer's notes is not calculated for that meridian, and he has given great offence to the courtly critics.

"*Reise um die Welt, &c.*" "*Voyage round the World, in the years 1803—1806.*" By order of his Majesty Alexander I., by the vessels *Nadeshdas* and *Neva*; commanded by A. J. Krusenstern, Captain in the Imperial Navy, 1 vol. large 4to. Petersburg. From the Printing Office of the Imperial Academy." Two editions of this work were published at the same time: one in the Russian language, the other in the German. Each, when completed, will comprise three volumes, with about a hundred plates, and a sufficiency of maps and charts. This voyage was unfortunate, but it is almost the

only one of the kind which Russia has undertaken, and it has hence excited a considerable degree of interest. The whole navy of Russia could not supply ships for the purpose, and hence recourse was had to England; when the two vessels mentioned in the title page, but new-named, were purchased for 17,000*l.* The chief design had it answered, was to have established a communication between the eastern and western Provinces of the widely spreading empire of Russia by means of the ocean. We shall return to this subject upon the appearance of the subsequent volumes.

Whilst we are upon the subject of Russian productions we will venture to notice another, which has been regarded as one of the most remarkable and interesting publications of the north of Europe for the current year. It is entitled, "*Nestor*; or, *Russian Annals*," in the original Slavonian, compared, translated, and interpreted by Louis Schlöetzer, Professor of History and Politics in the University of Göttingen. M. Schlöetzer was authorised by the Empress Catharine to draw up a Russian History from a personal investigation of all the most authentic and ancient documents. The present is, therefore, the commencement of the fruit of his labours; it is dedicated to the Emperor Alexander, and will extend to twelve volumes. It is entitled *Nestor*, who may be called the Muscovite Gregory, from its containing a full elucidation of the old chronicle of the monk of this name, in conjunction with researches of far more importance, and especially in regard to the Slavonian people, and the Byzantine empire. We shall follow this valuable work as it proceeds.

"*Storia delle Repubbliche Italiane, &c.*" "*History of the Italian Republics,*

publics, &c. By S. Sismondi." The full range of this very elaborate and voluminous work we are not yet acquainted with. For eight volumes, however, we can already answer, but how many more lie beyond those we are not able to prophecy. We can only say that it is a truly valuable, original, correct, elegant, and as far as may be, impartial history. We trust it will be persevered in and completed; but we have some doubts whether from the independent spirit it evinces, this will be allowed.

"Annali di Geografia, e di Statistica, &c." "Annals of Geography and Statistica. By J. Graberg, Genoa." 2 vols. 8vo. M. Graberg is by birth a German; he has settled in the Ligurian Republic; and the very valuable work, before us, is drawn up and continued upon the admirable plan of the "*Ephemerides Geographiques Universelles*," published at Weimar.

"Storia della Guerra dell' Indipendenza degli Stati, &c." "History of the War of the Independence of the United States of America. By Charles Botta, member of the legislative body of France, and of the academy of Turin." M. Botta engages in this undertaking with as much ardour for the cause of America as the Americans themselves could wish for, and with as much truth and freedom of mind as makes

us tremble for himself. Where this work was printed we know not.

From America, to which the preceding article has conducted us, we have received among other works, which we must defer noticing for want of space till our next Register, "The Works of Alexander Hamilton, comprising his most important official Reports, an improved edition of the *Federalist*, &c. in three volumes. New York." These must ever be highly revered by the country in which they were produced; the first as some of the most momentous of its state archives; and the last as the periodical paper that equally fix the people to a patriotic and eventually a triumphant design, and the government to the choice of a permanent (if it should be permanent) constitution.

"Speech of the Hon. James Em-moet in the House of Representatives of the United States, Feb. 6, 1811, in relation to the non-intercourse." With this deservedly celebrated Anti-Gallican speech most of our readers are already acquainted by the newspapers, and those who are not, have lost a treat which will not soon return to them.

"Letters on France and England." There can be no doubt from whose pen these proceed; they espouse in strong language the argument of the preceding; and are unquestionably from the able pen of Mr. Walsh.

## CHAPTER IV.

## LITERATURE AND POLITE ARTS.

*Containing a Sketch of the chief Productions in Germany, France, and America.*

FROM the last catalogue of the Leipzig Fair we are taught to infer that there are now in Germany ten thousand two hundred and forty three authors, full of health and spirits; each of whom publishes at least once a year. In a report made not long since to the French Institute upon the subject of German authorship, it is stated, that in the department of ancient literature alone, more than five hundred works have been published within the last three years. Yet we do not find that this department has a right to claim any superiority on the score of industry over any other. Among the more captivating and fashionable of the lighter productions, we may mention M. Goethe's new novel, entitled, "Elective Attractions;"—the title, to adopt a colloquial term, is *taking*, but it is not a barren title, for the interior is still more so.

In dipping into the classical works that are now in the act of publishing in Germany, we observe that M. Heyne is still slowly proceeding with his edition of Homer—slowly indeed; for he has now been labouring for nearly twenty years, and the *Odyssey*, as well as many of his smaller pieces, remains yet to be brought forward. M. Gierig has published his second volume of his new edition of Ovid's *Metamorphoses*; *varietate lectionis notisque*; in which we are glad to find that he

is still as scrupulous in his examination of the text as in the preceding volume, and discovers as much caution to avoid the errors committed by him in his prior edition of this work, which was little more than a careless reprint of Baltham. We cannot bestow equal praise upon M. Kuinael's edition of *Propertius*, Professor as he is of Eloquence and Poetry, and as we have understood extolled for his talents in both these departments in his own country. In most attempts at amendment he has made confusion worse confounded:—his criticisms are small, and few of those which we have noticed, are undistinguished by a load of blunders of most kinds.

We have received the last annual report of the second class of the French Institute, containing an analysis of the labours of the year. The only paper that occurs to us of prominent merit, is M. Levesque's, *Revue sur les Athéniens*. It is a work of deep research, and comprises a curious collection of facts, more especially in regard to the wealth and average opulence, or rather mediocrity of its inhabitants. "Athens," he observes, "was one of the most opulent and flourishing republics of Greece, and yet poor when compared with the Roman republic, or even with the least considerable states of modern Europe." It had no magnificent edifices; but could not

not have been a very fine city. The houses of Miltiades and Themistocles did not differ from those of obscure citizens. The city contained ten thousand houses, but, in general, of so little value, that many sold for half a talent, (125*l.* sterling) and some for much less. That of Socrates, with all its furniture, was worth but five minæ, or less than 30*l.* The property of a very wealthy citizen, Crisobolus, was estimated at one hundred times as much. The celebrated and extensive garden of Epicurus, which contained a fine nursery of olives, cost eighty minæ, less than 400*l.* In fine, in the time of Lysias a very handsome house could be purchased in the city for fifty minæ, or about 250*l.*; and a man was held to possess a competency when he had an income of twenty-two minæ, less than 80*l.* sterling. The Athenians lived sparingly. Mutton cost in the time of Solon about fifteen pence, beef half a crown. A medimnus of corn (about six bushels) sold for eighteen pence. The price of provisions rose after the time of Solon, but never to any great height. Cimon, one of the wealthiest of the Athenian leaders, left property on his death amounting to forty talents, about 11,000*l.* sterling. Alcibiades inherited a large fortune; was for five years at the head of the armies, levied heavier contributions than any of the generals, and nevertheless never realised a fortune that was calculated at the utmost at more than one hundred talents. The ordinary rate of interest was twelve per cent, but it was seldom that the capitalists were satisfied with this. There was no legal limitation, and consequently no usury in the eye of the law. It was not uncommon for them to take twenty-four, thirty-six, or even forty-eight per cent;

and many usurers doubled their capital in four days.

Whilst we are upon the subject of foreign societies we will just notice, with some degree of pleasure, the promising appearance of the Philadelphia Society for promoting Agriculture. The second volume of its "Memoirs," published in the current year, has just reached us; and it contains various judicious and spirited communications on different subjects in husbandry and rural affairs. Mr. Laing and Mr. Peters seem to be amongst the most useful contributors.

Such is the rapidity with which every thing of real interest received from the mother country is now circulated in America, that among the literary and biographical works of Great Britain, we find an American edition of the Life of Lord Charlemont, which has only been published in the current year in our own country.

Among the classical works re-edited in France, we have to notice a very splendid monument of typography dedicated to "Napoleon the Great," consisting of the Works of Homer, in three volumes, large folio, each consisting of three hundred and seventy pages of text alone; from the most magnificent press at this time in the universe, that we mean of Bodoni, of Parma. The artist employed six years in his preparations, and the printing occupied eighteen months. After all, which labour not more than one hundred and forty copies were struck off. The copy presented to his Imperial Majesty is upon vellum, of a size and brilliancy altogether unparalleled. The text has been diligently superintended by the most distinguished Hellenists in Italy, and corrected by a comparison of all the most approved readings.

Among

Among the translations of the classics we have to notice a very excellent version of Livy by M. Duran de la Malle.

"Glossaire de la Langue Romane," &c. "A Glossary of the Roman Language, compiled from MSS. in the Imperial Library, and from the best printed books on the subject; containing the etymology and signification of words used from the eleventh to the sixteenth centuries, inclusively, with numerous examples, derived from the same sources, and preceded by a discourse on the origin, progress, and variations of the French language. Dedicated to his Majesty Joseph Napoleon, King of Naples and Sicily. By J. B. B. Roquefort." Paris, 1809. 2 vols. 8vo. Such is the effect of the interdict between the continent and our own country, that the above has but just reached us, though printed upwards of three years ago. This will be found a useful work to our own black-letter readers and quivers, as well as to the antiquaries of France; for the language of the old English chronicles and romance-writers has a strong affinity to that of the French writers of the same period. The editor does not undertake to give all the words that are to be met with in the writings in question, but he seems carefully to have selected those that are most difficult, and most need an interpretation. "I venture to affirm," observes he, "that this glossary contains at least from twenty to thirty thousand articles more than are to be found in any work of the same kind. I have taken them in a great measure from the most ancient MSS. in our language; and to the greater part of the articles have added one or more quotations, in order to corroborate the sense which I affix to each." The preliminary discourse, which traces the origin, progress,

and variations of the French language, contains some curious and valuable matter. The editor does not incline to a Celtic origin, and appears to treat the elaborate, but somewhat fanciful opinion of M. Person with somewhat too much levity and contempt. Dulau has imported this work.

"Essai d'une Histoire des Révolutions," &c. "Sketch of a History of the Revelutions which have taken place in the Sciences and Fine Arts, from the hecote to our own times. By G. P. de Roujoux, Sub Prefect of Dole." 3 vols. 8vo. 1811. Paris. This work presents a bird's-eye view, limited and imperfect indeed, but still interesting, of the progress of the human mind, and of the changes that have taken place in the state of the sciences and the arts in different ages of the world. It is divided into periods, which were suggested by the great revolutions of empires, in more modern times, however, the author considered every century by itself. It is a very pleasing, ingenious, instructive, and, as far as we have perceived, accurate performance, and as such we earnestly recommend a translation of it into our own tongue. It may be had at Dulau's, who has imported it.

"Musée des Monumens," &c. "The Museum of French Monuments, or an historical and chronological description of the marble and bronze Statues, Bas-reliefs and Tombs of celebrated Men and Women, illustrative of a history of France and of the arts. With a dissertation on the costume of each century, an alphabetical and analytical table of contents, and various engravings. By Alexander Lenoir, Administrator of the Museum of French Monuments." Vol. V. 8vo. We congratulate the very indefatigable and learned editor, on his having at length brought this valuable and laborious production

production to a conclusion. It is equally curious and interesting: we only lament that the flippant deism of the day should occasionally show itself through his remarks, and discover the awful contempt in which, in conjunction with too many of his fellow *scavans*, he thinks it right to hold the Christian Scriptures: to justify this observation, it is only necessary to quote from him the following apophthegm: "the dogma of a future state," says he, "is one of the most fatal errors which has infected the human race!"

Of the lighter productions that belong to the present chapter, we have seen but few that have much amused or entertained us. The most popular poem still continues to be "*La Parthénide*," which, however, is only a translation from the German of M. J. Baggesen, and of which we have already given an account in a preceding volume. In the original this poem is written in hexameters; the French version is in prose. M. Ginguene, a Member of the National Institute, has devoted his time to the publication of a volume of Fables,

which are certainly possessed of ease and spirit, though not much originality.

Among the novels of the year, one of the best is entitled "*La Nouvelle Arcadie*:"—"The New Arcadia: or the Interior of the two Families. By Augusta La Fontaine." 4 vols. This, however, though written in French; is printed at Colburn, and is drawn up in the most outrageous costume of German characters and morals, and philosophism. "*Lettres d'Emilie de Montvers*," &c. "Letters of Emily of Montvers, and Paulina of Castellanie, by Mad. Duval;" though offering no great novelty of fable, is written with ease and sprightliness, and has, in our judgment, far more merit than the preceding. Among the tales of the year we may notice with approbation Madame Montolien's "*Anecdotes Sentimentales*;" and among the romances, the "*Tige de Myrtle et Benton de Rose*:"—"Sprig of Myrtle and the Rosebud," intended as a panegyric upon the imperial pair.

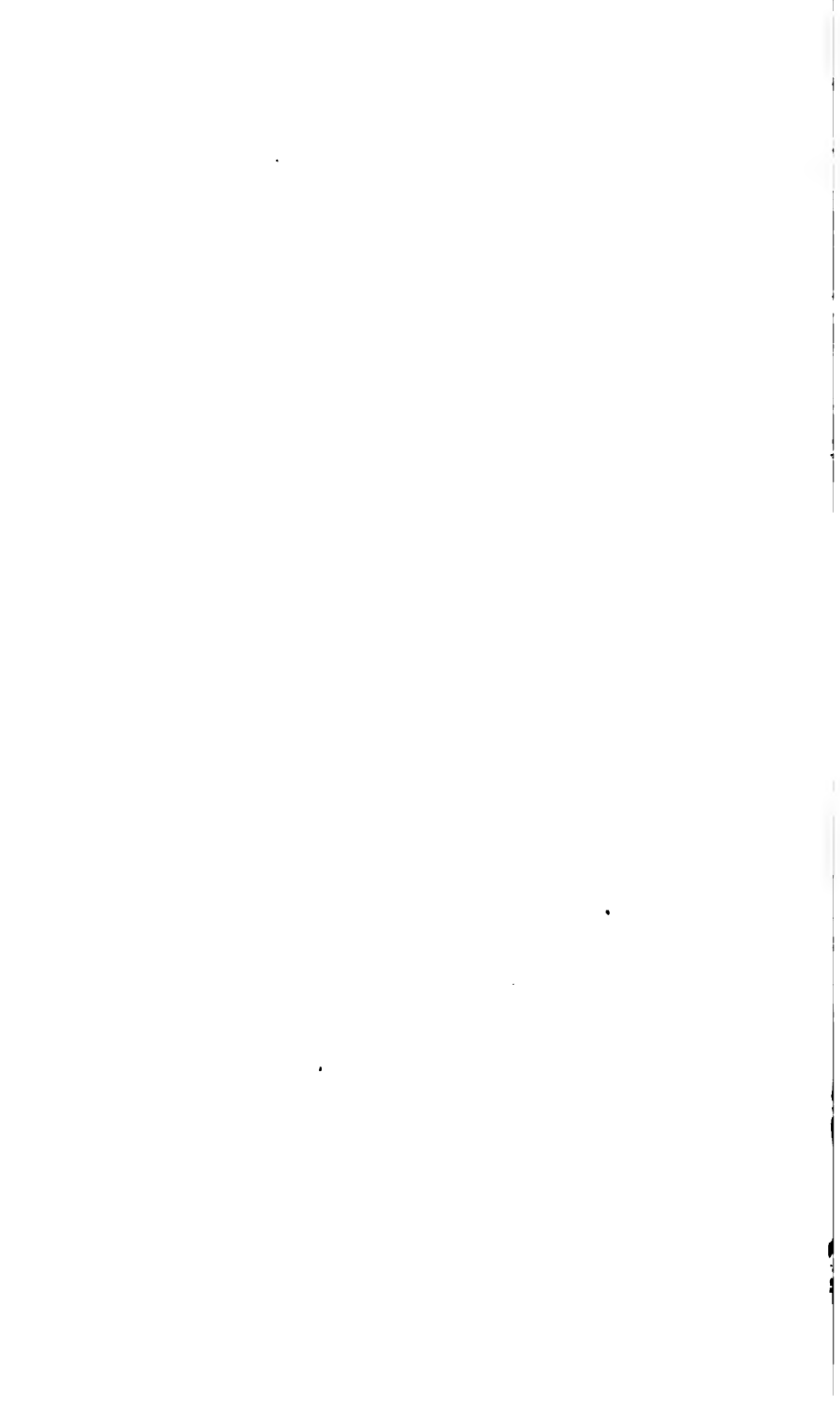
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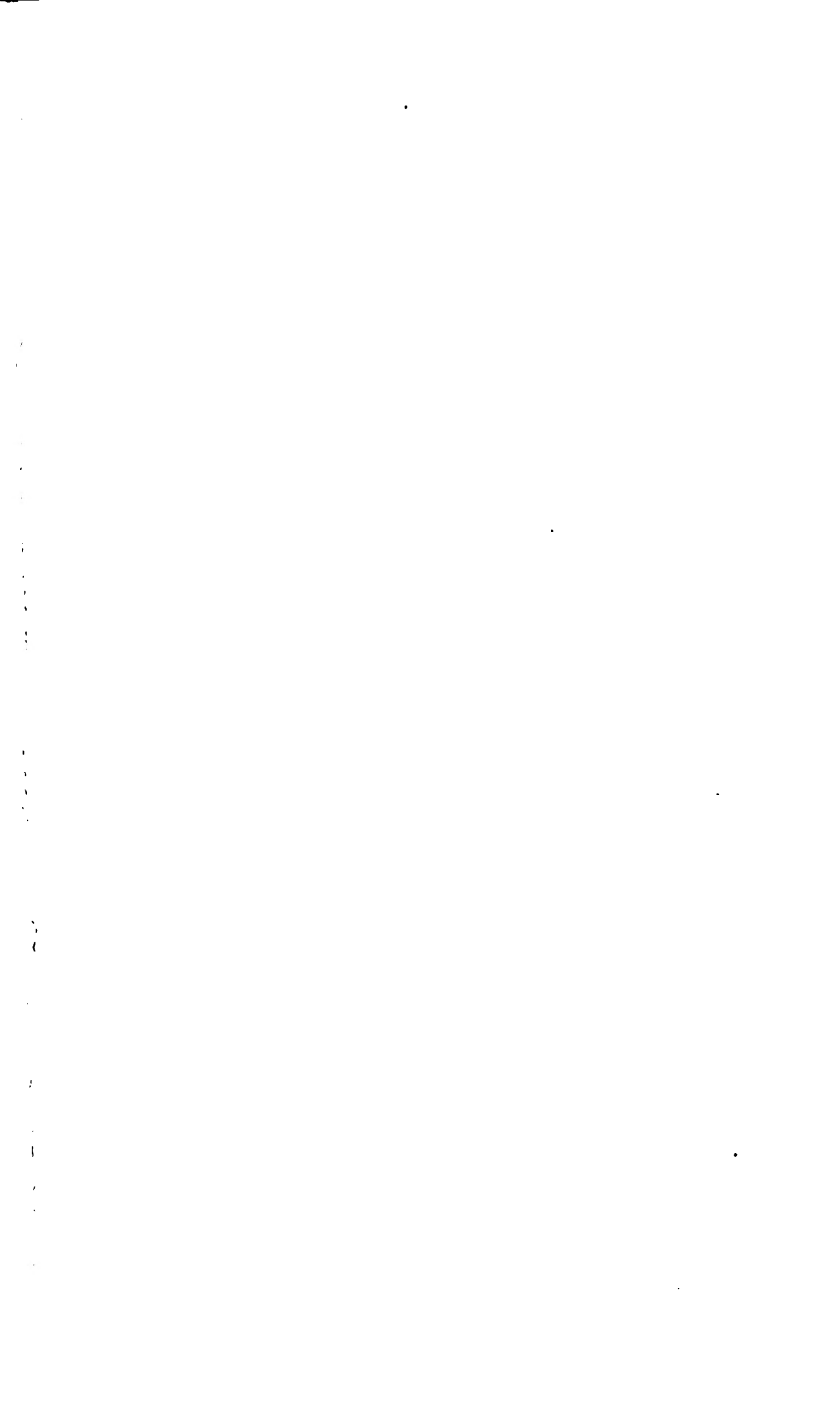


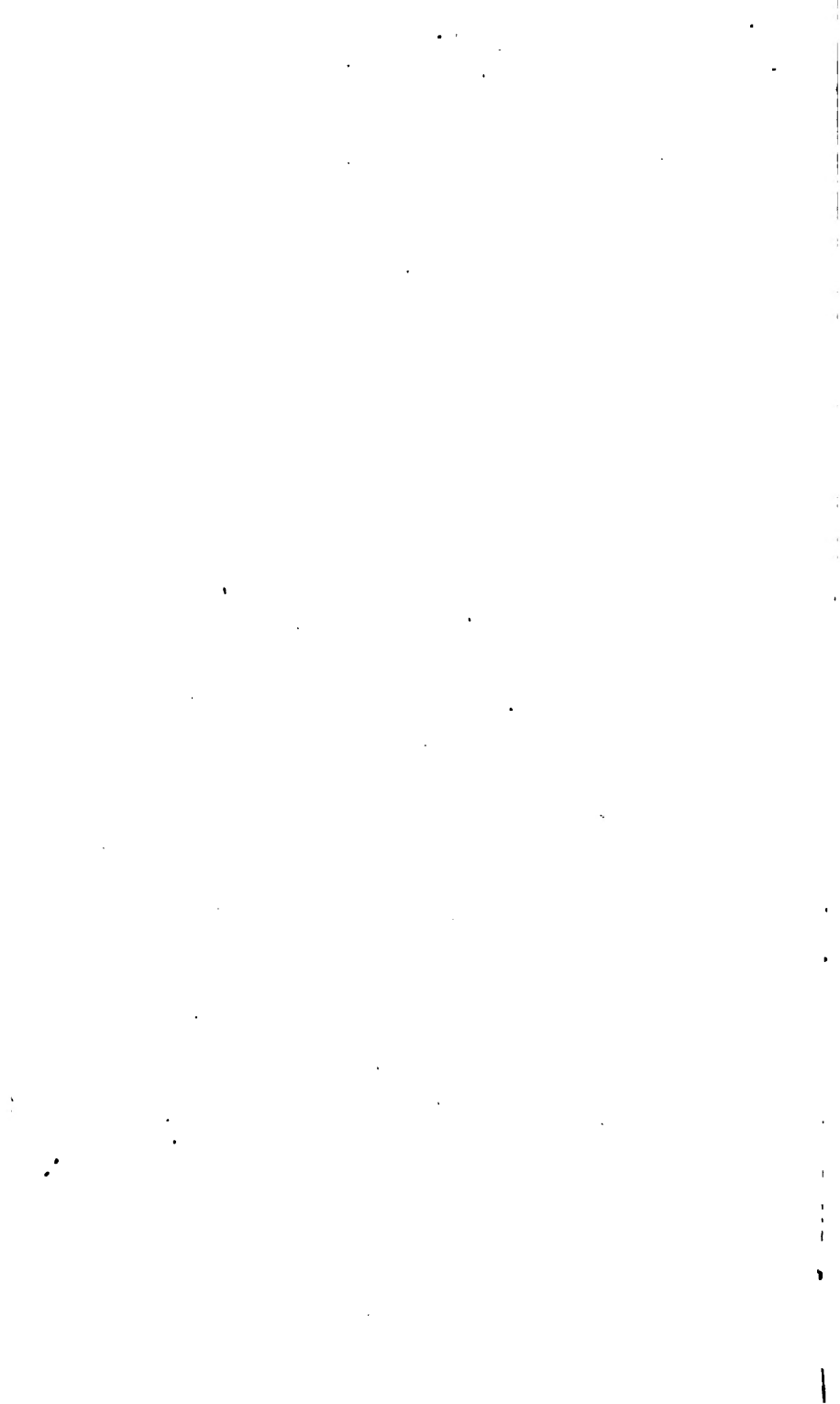
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